



File: T&F21/ 1129
A2147730

31 December 2021

Hon. Tom Koutsantonis MP
Member for West Torrens
229 Henley Beach Road
TORRENSVILLE SA 5031

State Administration Centre
200 Victoria Square
Adelaide SA 5000
GPO Box 1045
Adelaide SA 5001
DX56205
Tel 08 8226 9500
Fax 08 8226 3819
<http://www.treasury.sa.gov.au>
ABN 19 040 349 865

Sent via email: westtorrens@parliament.sa.gov.au

Dear Mr Koutsantonis

Freedom of Information – Preparation Documents for T&F21/0978 and T&F21/0979

I refer to your application under the *Freedom of Information Act 1991* (FOI Act), received by the Department of Treasury and Finance (DTF) on 29 October 2021.

Your application specifically requested:

'A copy of all documents including notes, emails, briefings, memos and all text messages in relation to preparing, collating and consulting regarding FOI Applications T&F21/0978 and T&F21/0979 A copy of all documents including notes of conversations, emails, briefings, memos and all text messages in relation to discussions between the Department of Treasury and Finance, Electorate Office Services and the Premier's, Treasurer's or any other Ministers office regarding FOI Applications T&F21/0978 and T&F21/0979 A copy of all documents including notes of conversations, emails, briefings, memos and all text messages in relation to discussions between the Department of Treasury and Finance, Electorate Office Services and the Member for Gibson's office regarding FOI Applications T&F21/0978 and T&F21/0979 Details of any phone conversations regarding FOI Applications T&F21/0978 and T&F21/0979 including dates, times details of who the conversations were between.
[Date Range: 01/09/2021 – 28/10/2021]'

Under the Act, an agency has 30 days to respond to a freedom of information request. As DTF did not respond to your request within the time frame required, the department is deemed to have refused you access to all documents relevant to your application. However, I have determined to process the request as if the statutory time frame had been met.

A total of 27 documents were identified as answering the terms of your application and I have determined as follows:

- I grant you access in full to 21 documents, copies of which are enclosed,
- I grant you access in part to 5 documents, copies of which are enclosed, and
- I refuse you access to 1 document.

Please refer to the attached schedule that describes each document and sets out my determination and reasons in summary form.

Documents released in full

Documents 2-7, 9, 12-16, 18—22 and 24-27

Documents released in part

Documents 10 and 11 contain information that relates to the personal affairs of third parties. Under clause 6(1) of Schedule 1, a document is exempt if its disclosure would involve the 'unreasonable disclosure of information concerning the personal affairs of any person'. This information falls within the definition of personal affairs under the FOI Act and is therefore exempt from release pursuant to clause 6(1) of Schedule 1 to the FOI Act.

Furthermore, clause 6(2) of Schedule 1 states that "*a document is exempt from disclosure if it contains allegations or suggestions of criminal or improper conduct of any person (living or dead) the truth of which has not been established by a judicial process and the disclosure of which would be unreasonable.*"

Documents 10 and 11 contain opinions or allegations or suggestions of improper conduct, which have not been substantiated by a judicial process. I therefore determine to exempt this information pursuant to clause 6(2) of Schedule 1 to the FOI Act.

In addition, document 11 also contains information that concerns the business affairs of a third party which, if disclosed, may have an adverse effect. In applying the public interest test, I have considered the objects of the FOI Act which favour release. However, I have determined that this is outweighed by the public interest in ensuring that a party's business affairs are not adversely affected by disclosure. I have therefore determined to exempt this information pursuant to clause 7(1)(C) of Schedule 1 to the FOI Act.

Documents 1, 17 and 23 contain information outside the scope of your request, which has been removed.

Document refused in full

Document 8

Exemptions***Clause 6 – Documents affecting personal affairs***

- (1) *A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
- (2) *A document is an exempt document if it contains allegations or suggestions of criminal or other improper conduct on the part of a person (living or dead) the truth of which has not been established by judicial process and the disclosure of which would be unreasonable.*

Clause 7 – Documents affecting business affairs

- (1) *A document is an exempt document— ...*
 - (c) *if it contains matter—*

- (i) *consisting of information (other than trade secrets or information referred to in paragraph (b)) concerning the business, professional, commercial or financial affairs of any agency or any other person; and*
- (ii) *the disclosure of which—*
 - (A) *could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of such information to the Government or to an agency; and*
 - (B) *would, on balance, be contrary to the public interest.*

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), DTF is now required to publish a log of all non-personal information released under the FOI Act.

In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars> Please visit the website for further information.

Appeal Rights

If you are aggrieved with this determination, you have a right to apply for internal review under subsection 29(1) of the FOI Act. Pursuant to subsection 29(2), your application must:

- be in writing
- be addressed to the principal officer, and
- be lodged at an office of DTF or emailed to freedomofinformation2@sa.gov.au within 30 days after the day on which you receive this letter or within such further time as the principal officer may allow.

If you require any further information, please phone Inthira Stocker on (08) 8429 3497.

Yours sincerely



Maria Ross
ACCREDITED FREEDOM OF INFORMATION OFFICER

Schedule of Documents

T&F21/1129 - Hon. Tom Koutsantonis MP - 'A copy of all documents including notes, emails, briefings, memos and all text messages in relation to preparing, collating and consulting regarding FOI Applications T&F21/0978 and T&F21/0979 A copy of all documents including notes of conversations, emails, briefings, memos and all text messages in relation to discussions between the Department of Treasury and Finance, Electorate Office Services and the Premier's, Treasurer's or any other Ministers office regarding FOI Applications T&F21/0978 and T&F21/0979 A copy of all documents including notes of conversations, emails, briefings, memos and all text messages in relation to discussions between the Department of Treasury and Finance, Electorate Office Services and the Member for Gibson's office regarding FOI Applications T&F21/0978 and T&F21/0979 Details of any phone conversations regarding FOI Applications T&F21/0978 and T&F21/0979 including dates, times details of who the conversations were between. [Date Range: 01/09/2021-28/10/2021]'

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
1	08/09/2021 11:30am	Email - New Freedom of Information Application - Multiple applications	2	Released in part	Out of scope
2	undated	Attachment to document 1 - Electronic Discovery Response - FOI	3	Released in full	
3	undated	Attachment to document 1 - Schedule of Documents template	1	Released in full	
4	undated	Attachment to document 1 - FOI Branch Response Minute	1	Released in full	
5	22/09/2021 11:28am	Email - FOI T&F21/0979	1	Released in full	
6	22/09/2021	Attachment to document 5 - Electorate Services Branch Response	2	Released in full	
7	undated	Attachment to document 5 - Schedule of Documents	1	Released in full	
8	8/01/2018	Attachment to document 5 - Discovery documents	2	Refused in full	6(1) - Unreasonable disclosure of personal affairs
					6(2) - Contains allegations/ suggestions not established by judicial process and disclosure would be unreasonable
9	22/09/2021 1:50pm	Email - FOI T&F21/0979	1	Released in full	
6	22/09/2021	Attachment to document 9 - Electorate Services Branch Response	2	Released in full	

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Schedule of Documents

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
7	undated	Attachment to document 9 - Schedule of Documents	1	Released in full	
8	8/01/2021	Attachment to document 9 - Discovery Documents	2	Refused in full	6(1) - Unreasonable disclosure of personal affairs 6(2) - Contains allegations/ suggestions not established by judicial process and disclosure would be unreasonable
10	24/09/2021 12:07pm	Email - Kiteworks - T&F21/0978	2	Released in part	6(1) - Unreasonable disclosure of personal affairs 6(2) - Contains allegations/ suggestions not established by judicial process and disclosure would be unreasonable
11	undated	Attachment to document 10 - Discovery documents	69	Released in part	6(1) - Unreasonable disclosure of personal affairs 6(2) - Contains allegations/ suggestions not established by judicial process and disclosure would be unreasonable 7(1)(c)(i)(ii)(A)(B) - Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest
12	24/09/2021 12:41pm	Email - RE: FOI T&F21/0978	1	Released in full	
13	05/11/2021 1:54pm	FW: T&F21/0978 response	1	Released in full	
6	22/09/2021	Attachment to document 13 - Electorate Services Branch Response	2	Released in full	

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Schedule of Documents

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
7	undated	Attachment to document 13 - Schedule of Documents	1	Released in full	
14	15/10/2021 2:59pm	Email - FOI Figned Minutes	1	Released in full	
15	14/10/2021	Attachment to document 14 - FOI Determination Minute	1	Released in full	
16	14/10/2021	Attachment to document 14 - FOI Determination Minute	1	Released in full	
17	15/10/2021 4:11pm	Email - FOI Determination for noting	1	Released in part	Out of scope
18	14/10/2021	Attachment to document 16 - FOI detrmination for noting	7	Released in full	
19	15/10/2021 3:48pm	Email - Internal Reviews	1	Released in full	
20	15/10/2021 3:02:13pm	Attachment to document 19 - Email - Request for Internal Review T&F21/0978	2	Released in full	
21	15/10/2021 3:00:40pm	Attachment to document 19 - Email - Request for Internal Review T&F21/0979	2	Released in full	
22	15/10/2021 3:53:55pm	Email - RE: Internal reviews	1	Released in full	
23	18/10/2021 11:52:14am	Email - RE: FOI determination for noting T&F21/0978	2	Released in part	Out of scope
24	18/10/2021 11:52am	Email - RE: FOI determination for noting T&F21/0979	1	Released in full	
25	22/10/2021 4:36:31pm	Email - Request for Internal Review T&F21/0979	3	Released in full	
26	22/10/2021 5:01:17pm	Email - Request for Internal Review T&F21/0978	3	Released in full	
27	25/10/2021 2:14:00pm	Email - FOI Internal Review Acknowledgment	1	Released in full	

Electronic Discovery Response - FOI

Providing an electronic discovery response Work Instruction

When a new freedom of information (FOI) application is received, a discovery request email is sent to all relevant branch contacts, usually the executive director. This email, titled "New Freedom of Information Application – (T&FYY/XXXX) – APPLICATION SUBJECT – RESPONSE DUE DATE" is sent to the internal branch contacts to begin the discovery searching.

This work instruction details how to provide an electronic version of the discovery response to the FOI unit.

Providing an electronic discovery response

Searching

- Complete the search of your branch/areas records as per your usual branch process.
- Save all relevant documents (e.g. emails, minutes, briefings, spreadsheets, etc) to a folder on the network drive (usually G: drive) in their original format. Documents do not need to be converted to pdf if they are in another format.
- If the document includes attachments (i.e an email with attachments) save the attachments as separate documents

Document Schedule

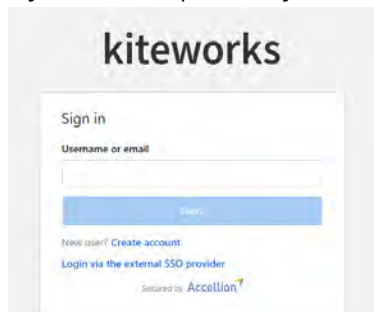
- Open the Excel spreadsheet "Document Schedule template" provided by the FOI unit in the discovery request email. Save a copy of the template in the folder with the documents discovered in the search. Name the file "Document Schedule – T&FYY_XXXX" using the application number from the discovery email and YY as the current year (e.g. 20).
- Rename all documents, excluding the document schedule, to start with a 3 digit number – 001, 002, 003, etc. Either add the number to the start of the document name or rename to only the number (see example to the right)
- Fill out the corresponding row on the document schedule, ensuring you complete all columns for each document. Use the ExemptionClauses tab as a reference when completing the Exemption Clauses column. Remember to provide your reasoning for exemption recommendations.
- Document labelled 001 should be in row labelled 1 on the spreadsheet, document labelled 002 in row 2, continuing for all documents in scope.
- If the document includes attachments (i.e an email with attachments) save the attachments as separate documents and number them accordingly. For example, 001 email, 002 report - attachment to 001 email.

Name	Date modified	Type
Original documents	10/02/2020 11:05 ...	File folder
001	7/02/2020 3:30 PM	PDF File
002	10/02/2020 11:56 ...	PDF File
003	10/02/2020 11:56 ...	PDF File
004	10/02/2020 11:56 ...	PDF File
005	10/02/2020 11:56 ...	PDF File
006	10/02/2020 11:56 ...	PDF File
007	10/02/2020 11:56 ...	PDF File
010	10/02/2020 11:57 ...	PDF File
011	10/02/2020 11:57 ...	PDF File
012	10/02/2020 11:57 ...	PDF File
013	10/02/2020 11:57 ...	PDF File
014	10/02/2020 11:57 ...	PDF File
015	10/02/2020 11:57 ...	PDF File
016	10/02/2020 11:57 ...	PDF File
017	10/02/2020 11:57 ...	PDF File
018 20190409 COWC - 10 674333	10/02/2020 11:57 ...	PDF File

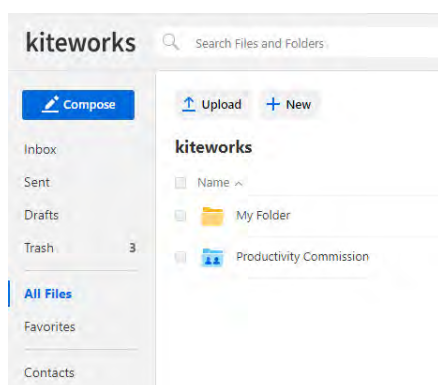
Electronic Discovery Response - FOI

Sending the electronic discovery response

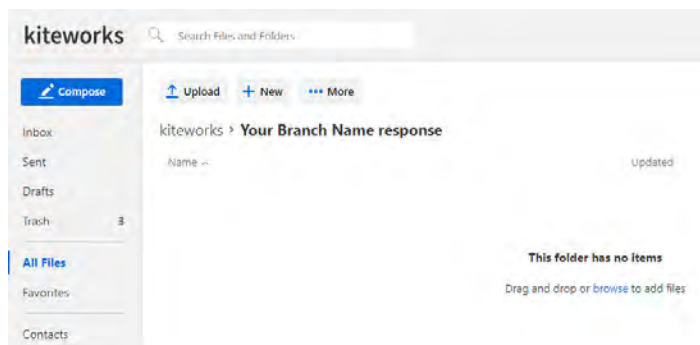
- Go to <https://dtf.secureft.sa.gov.au/>
- If you have not previously used Kiteworks, click on the 'Create account' link



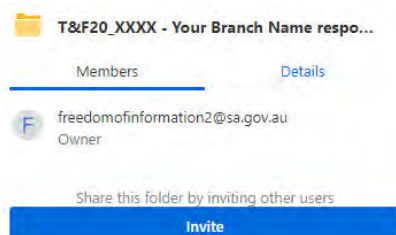
- Log into kiteworks
- Go to All files



- Click "New" to create a new folder. Name the new folder "T&FYY_XXXX – Your Branch Name response"

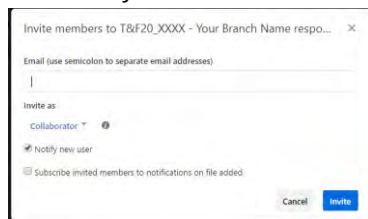


- At this point you can either click "Upload" and choose upload a folder or choose "browse" to upload the files in a group.
- Once all files have uploaded, click "Invite" on the right hand side of the page



Electronic Discovery Response - FOI

- Type freedomofinformation2@sa.gov.au in the email box that appears. Select "Notify new user" if it is not already selected



- Kiteworks will send an email notifying the FOI unit to access the folder and download the documents for processing.

Minute - FOI Branch response

- Follow usual internal branch process for sign off of the FOI branch response minute
- Save a copy of the signed minute in the same "T&FYX_XXXX – Your Branch Name response" Kiteworks folder
or
- Send minute via email to freedomofinformation2@sa.gov.au
- If there is no electronic sign off process within your branch, please arrange for the authoriser to email freedomofinformation2@sa.gov.au, confirming the relevant searches have been completed and any other additional information as required.

Kiteworks issues

- Please contact the Service Desk on 8226 9590 or online at <http://ictservicesonline/> if you have any issues creating or using Kiteworks

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Schedule of Documents

T&FYY/XXXX - APPLICANT - " TITLE."

Doc. No.	Date	Description of Document	# of pages	Determination Recommendation	Exemption Clause	Reason
1	10/12/2011	Example - Minute	4	Released in part	16(1)(a)(iii) - Substantial adverse effect on management or assessment of agency personnel & contrary to public interest	Comment on detriment to public interest where relevant.
2	10/12/2011	Example - Attachment to document 1 - Draft letter	3	Released in full		
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MINUTES forming ENCLOSURE to

File T&FYY/XXXX

Doc No TF<....>

To Freedom of Information Unit

FREEDOM OF INFORMATION

An application has made under the *Freedom of Information Act 1991* ('the FOI Act') for:

- "Scope of application as provided in discovery email "

I am satisfied the below searches have been undertaken and all relevant documents held by my Branch falling within the scope of the application have been provided to you.

Note: A 'document' under the FOI Act 'includes anything in which information is stored or from which information may be reproduced'. It includes emails, audio and visual recordings, as well as hard copy and electronic documents and drafts of such documents.

Source	Searched			Have all documents been supplied to the FOI officer?		
	Yes (insert date)	No	N/A	Yes (insert date)	No	N/A
Objective						
Hard copy T&F Files						
Other relevant areas in your Branch/Section						
All documents currently with an external provider (solicitors, consultants etc)						
All electronic data (including emails)						
Keywords used:						

ANY RECOMMENDATIONS

-

Name
TITLE

Month Year

From: [Smith, Tony \(DTF\)](#)
To: [Tatarelli, Paul \(DTF\)](#)
Subject: FOI T&F21//0979.
Date: Wednesday, 22 September 2021 11:28:00 AM
Attachments: [image001.png](#)
[T&F21-0979 FOI Minute.pdf](#)
[T&F21-0979 Document Schedule.xlsx](#)
[1 20180108 Resignation.pdf](#)

Paul,

For consideration.

T&F21/0978 – Member for Gibson, allegations of intimidation – to be completed, if you have any more documents to add.

Thanks,

Tony Smith

Policy & Entitlements Manager, Electorate Services | Financial Management, Reporting and Policy

State Administration Centre, Level 6, 200 Victoria Square ADELAIDE SA 5000
t 822 63605 | e tony.smith@sa.gov.au | w treasury.sa.gov.au

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MINUTES forming ENCLOSURE to

File

T&F21/0979

To Freedom of Information Unit

FREEDOM OF INFORMATION

An application has made under the *Freedom of Information Act 1991* ('the FOI Act') for:

- "A Copy of all Documents in Relation Allegations of Fraud or Fraudulent Activity in the Member for Mitchell or Member for Gibson Electorate Office. [Date Range: 01/04/2014 to 07/09/2021]"

I am satisfied the below searches have been undertaken and all relevant documents held by my Branch falling within the scope of the application have been provided to you.

Note: A 'document' under the FOI Act 'includes anything in which information is stored or from which information may be reproduced'. It includes emails, audio and visual recordings, as well as hard copy and electronic documents and drafts of such documents.

Source	Searched			Have all documents been supplied to the FOI officer?		
	Yes (insert date)	No	N/A	Yes (insert date)	No	N/A
Objective	21/09/2021			22/09/2021		
Hard copy T&F Files	21/09/2021			22/09/2021		
Other relevant areas in your Branch/Section			N/A			N/A
All documents currently with an external provider (solicitors, consultants etc)			N/A			N/A
All electronic data (including emails) Keywords used:	21/09/2021			22/09/2021		
	Mitchell, Gibson, Allegation, Fraud					

ANY RECOMMENDATIONS

- Document to be released in line with the Document Schedule.

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Paul Tatarelli
MANAGER ELECTORATE SERVICES

22 September 2021

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Schedule of Documents

T&F21/0979 - HON TOM KOUTSANTONIS MP - " A Copy of all Documents in Relation Allegations of Fraud or Fraudulent Activity in the Member for Mitchell or Member for Gibson Electorate Off

Doc. No.	Date	Description of Document	# of pages	Determination Recommendation	Exemption Clause	Reason
1	8/01/2018	Email	2	Released in part	6(2) - Contains allegations/suggestions not established by judicial process and disclosure would be unreasonable	Personal details of employees (names, email address, mobile phone number) and unproven allegations to be removed.
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From: [Smith, Tony \(DTF\)](#)
To: [DTF:Freedom of Information](#)
Cc: [Haigh, Natalie \(DTF\)](#)
Subject: FOI T&F21/0979
Date: Wednesday, 22 September 2021 1:50:00 PM
Attachments: [TF21-0979 FOI Minute.pdf](#)
[T&F21-0979 Document Schedule.xlsx](#)
[1 20180108 Resignation.pdf](#)
[image001.png](#)

Tony Smith

Policy & Entitlements Manager, Electorate Services | Financial Management, Reporting and Policy

State Administration Centre, Level 6, 200 Victoria Square ADELAIDE SA 5000
t 822 63605 | e tony.smith@sa.gov.au | w treasury.sa.gov.au

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From: [Smith, Tony \(DTF\)](#)
To: [Wegger, Natasha \(DTF\)](#)
Subject: RE: FOI T&F21/0978.
Date: Friday, 24 September 2021 12:41:00 PM
Attachments: [image001.png](#)

Thanks Tash.

From: Wegger, Natasha (DTF) <Natasha.Wegger2@sa.gov.au>
Sent: Friday, 24 September 2021 12:08 PM
To: Smith, Tony (DTF) <Tony.Smith@sa.gov.au>
Subject: RE: FOI T&F21/0978.

Done 😊

From: Smith, Tony (DTF) <Tony.Smith@sa.gov.au>
Sent: Friday, 24 September 2021 11:07 AM
To: Wegger, Natasha (DTF) <Natasha.Wegger2@sa.gov.au>
Subject: FOI T&F21/0978.

Tash,

Can you please upload to Kiteworks FOI documents 1 – 27 in FOI folder *T&F21-0978 Member for Mitchell Gibson*.

Thanks,

Tony Smith

Policy & Entitlements Manager, Electorate Services | Financial Management, Reporting and Policy

State Administration Centre, Level 6, 200 Victoria Square ADELAIDE SA 5000
t 822 63605 | e tony.smith@sa.gov.au | w treasury.sa.gov.au

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From: [Smith, Tony \(DTF\)](#)
To: [Smith, Tony \(DTF\)](#)
Subject: FW: FOI T&F21/0978 response
Date: Friday, 5 November 2021 1:54:53 PM
Attachments: [TF21-0978 FOI Minute.pdf](#)
[image001.png](#)
[T&F21-0978 Document Schedule.xlsx](#)

From: Smith, Tony (DTF)
Sent: Friday, 24 September 2021 11:03 AM
To: DTF:Freedom of Information <FreedomofInformation2@sa.gov.au>
Cc: Haigh, Natalie (DTF) <Natalie.Haigh@sa.gov.au>; Tatarelli, Paul (DTF) (Paul.Tatarelli@sa.gov.au) <Paul.Tatarelli@sa.gov.au>
Subject: FOI T&F21/0978.

Natalie,

Documents will be uploaded to Kiteworks today.

Regards,

Tony Smith

Policy & Entitlements Manager, Electorate Services | Financial Management, Reporting and Policy

State Administration Centre, Level 6, 200 Victoria Square ADELAIDE SA 5000
t 822 63605 | e tony.smith@sa.gov.au | w treasury.sa.gov.au

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From: [Penov, Jasminka \(DTF\)](#)
To: [DTF:Freedom of Information](#)
Cc: [Ross, Maria \(DTF\)](#); [Lardner, Helen \(DTF\)](#)
Subject: FOI - Signed minutes
Date: Friday, 15 October 2021 2:59:01 PM

Hi FOI Team

Please note the attached signed minutes by OCE for your reference.

Thanks

Jasminka

Jasminka Penov

Business Support Officer | People and Performance | Organisation & Governance

State Administration Centre, Level 8, 200 Victoria Square ADELAIDE SA 5000
t 842 90303 | e jasminka.penov@sa.gov.au | w treasury.sa.gov.au | follow us on [LinkedIn](#)
(Mon, Wed, Thur, Fri)



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MINUTES forming ENCLOSURE to

File T&F21/0978
A2062703

To Chief Executive

FREEDOM OF INFORMATION DETERMINATION – STAFF COMPLAINTS AT MITCHELL AND GIBSON ELECTORATE OFFICES

Timing: DETERMINATION TO BE RETURNED TO FOI TEAM BY 20 October 2021

Recommendations/Issues: It is recommended that you note the attached determination of the FOI application from Hon Tom Koutsantonis regarding staff complaints at Mitchell and Gibson Electorate Offices.

Noted



Chief Executive

15/10/21

Key Points:

- Mr Koutsantonis specifically sought:

'A copy of all documents that relate to allegations of intimidation, staff complaints and concerns, conflict or dispute avoidances, request for transfers, worker compensation claims or mediation raised by staff in the Member for Mitchell's or Member for Gibon's (sic) Electorate Office [Date range: 1/4/2014 to 7/9/2021].'

- A search of the department's databases and information stores identified 28 documents within scope of the request. I have determined to release 1 document in full and refuse access in full to 27 documents.
- The assistance and advice of Electorate Services was sought in making this determination. The determination will be sent to the applicant on 22 October 2021.



Julie-Anne Burgess

EXECUTIVE DIRECTOR, ORGANISATION AND GOVERNANCE

14 October 2021

cc: Chief of Staff, Office of the Treasurer

Contact Officer: Russell Withers

Telephone: 93631

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MINUTES forming ENCLOSURE to

File T&F21/0979
A2060101

To Chief Executive

FREEDOM OF INFORMATION DETERMINATION – FRAUDULENT ACTIVITY IN COREY WINGARD'S ELECTORATE OFFICE

Timing: DETERMINATION TO BE RETURNED TO FOI TEAM BY 18 October 2021

Recommendations/Issues: It is recommended that you note the attached determination of the FOI application from Hon Tom Koutsantonis regarding documents about fraudulent activity in Corey Windgard's electorate office.

Noted


Chief Executive

15/10/21

Key Points:

- Mr Koutsantonis specifically sought:
'A Copy of all Documents in Relation Allegations of Fraud or Fraudulent Activity in the Member for Mitchell or Member for Gibson Electorate Office. [Date Range: 01/04/2014 to 07/09/2021]'
- A search of the department's databases and information stores identified 2 documents that are within scope of the request. I have determined to refuse access in full to both documents.
- The assistance and advice of Electorate Services was sought in making this determination. The determination will be sent to the applicant on 20 October 2021.



Julie-Anne Burgess
EXECUTIVE DIRECTOR, ORGANISATION AND GOVERNANCE

14 October 2021

cc: Chief of Staff, Office of the Treasurer

Contact Officer: Natalie Haigh
Telephone: 90839

OFFICIAL

OFFICIAL

MINUTES forming ENCLOSURE to

File T&F21/0978
A2062703

To Chief Executive

FREEDOM OF INFORMATION DETERMINATION – STAFF COMPLAINTS AT MITCHELL AND GIBSON ELECTORATE OFFICES

Timing: DETERMINATION TO BE RETURNED TO FOI TEAM BY 20 October 2021

Recommendations/Issues: It is recommended that you note the attached determination of the FOI application from Hon Tom Koutsantonis regarding staff complaints at Mitchell and Gibson Electorate Offices.

Noted



Chief Executive

15/10/21

Key Points:

- Mr Koutsantonis specifically sought:

'A copy of all documents that relate to allegations of intimidation, staff complaints and concerns, conflict or dispute avoidances, request for transfers, worker compensation claims or mediation raised by staff in the Member for Mitchell's or Member for Gibon's (sic) Electorate Office [Date range: 1/4/2014 to 7/9/2021].'

- A search of the department's databases and information stores identified 28 documents within scope of the request. I have determined to release 1 document in full and refuse access in full to 27 documents.
- The assistance and advice of Electorate Services was sought in making this determination. The determination will be sent to the applicant on 22 October 2021.



Julie-Anne Burgess

EXECUTIVE DIRECTOR, ORGANISATION AND GOVERNANCE

14 October 2021

cc: Chief of Staff, Office of the Treasurer

Contact Officer: Russell Withers

Telephone: 93631

OFFICIAL



File: T&F21/0978
A2058579

State Administration Centre
200 Victoria Square
Adelaide SA 5000
GPO Box 1045
Adelaide SA 5001
DX56205
Tel 08 8226 9500
Fax 08 8226 3819
<http://www.treasury.sa.gov.au>
ABN 19 040 349 865

22 October 2021

Hon Tom Koutsantonis
Member for West Torrens
229 Henley Beach Road
TORRENSVILLE SA 5031

Sent via email: westtorrens@parliament.sa.gov.au

Dear Mr Koutsantonis

Freedom of Information – Staff complaints at Mitchell and Gibson Electorate Offices

I refer to your application under the *Freedom of Information Act 1991* (FOI Act), received by the Department of Treasury and Finance (DTF) on 7 September 2021.

Your application specifically requested:

'A copy of all documents that relate to allegations of intimidation, staff complaints and concerns, conflict or dispute avoidances, request for transfers, worker compensation claims or mediation raised by staff in the Member for Mitchell's or Member for Gibon's (sic) Electorate Office [Date range: 1/4/2014 to 7/9/2021].'

Under the Act, an agency has 30 days to respond to a freedom of information request. As DTF did not respond to your request within the time frame required, the department is deemed to have refused you access to all documents relevant to your application. However, I have determined to process the request as if the statutory time frame had been met.

The purpose of this letter is to advise you of my determination.

A total of 28 documents were identified as answering the terms of your application and I have determined as follows:

- I grant you access in full to 1 document, a copy of which is enclosed, and
- I refuse you access to 27 documents.

Please refer to the attached schedule that describes each document and sets out my determination and reasons in summary form.

Document released in full

Document 5

Documents refused in full

Documents 1-4, 6-12 and 14-28 consist of information relating to the personal affairs of third parties. Under clause 6(1) of Schedule 1 to the FOI Act, a document is exempt if its disclosure would involve the 'unreasonable disclosure of information concerning the personal affairs of any person'. This information falls within the definition of personal affairs under the

Act and is therefore exempt from release pursuant to clause 6(1) of schedule 1 to the FOI Act.

Pursuant to clause 6(2) of schedule 1 to the FOI Act, *“a document is exempt from disclosure if it contains allegations or suggestions of criminal or improper conduct of any person (living or dead) the truth of which has not been established by a judicial process and the disclosure of which would be unreasonable.”*

Document 27 contains opinions or allegations or suggestions of improper conduct, the truth of which have not been substantiated. I have therefore determined to exempt this information pursuant to clause 6(2).

Document 13 consists of information concerning the business affairs of a third party which, if disclosed, may have an adverse effect. In applying the public interest test, I have considered the objects of the FOI Act, which favour release. However, I have determined that this is outweighed by the public interest in ensuring that a party's business affairs are not adversely affected by disclosure. I have therefore determined to exempt this document pursuant to clause 7(1)(c) of Schedule 1 to the FOI Act.

Exemptions

Clause 6 – Documents affecting personal affairs

- (1) *A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
- (2) *A document is an exempt document if it contains allegations or suggestions of criminal or other improper conduct on the part of a person (living or dead) the truth of which has not been established by judicial process and the disclosure of which would be unreasonable.*

Clause 7 – Documents affecting business affairs

- (1) *A document is an exempt document—*
 - ...
 - (c) *if it contains matter—*
 - (i) *consisting of information (other than trade secrets or information referred to in paragraph (b)) concerning the business, professional, commercial or financial affairs of any agency or any other person; and*
 - (ii) *the disclosure of which—*
 - (A) *could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of such information to the Government or to an agency; and*
 - (B) *would, on balance, be contrary to the public interest.*

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), DTF is now

required to publish a log of all non-personal information released under the *Freedom of Information Act 1991*.

In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <https://www.dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars> Please visit the website for further information.

Appeal Rights

If you are aggrieved with this determination, you have a right to apply for internal review under subsection 29(1) of the FOI Act. Pursuant to subsection 29(2), your application must:

- be in writing
- be addressed to the principal officer, and
- be lodged at an office of DTF, or emailed to freedomofinformation2@sa.gov.au within 30 days after the day on which you receive this letter or within such further time as the principal officer may allow.

If you require any further information please phone Russell Withers on (08) 8429 3631.

Yours sincerely



Maria Ross
ACCREDITED FREEDOM OF INFORMATION OFFICER

OFFICIAL

Schedule of Documents

T&F21/0978 - HON TOM KOUTSANTONIS MP - "A copy of all documents that relate to allegations of intimidation, staff complaints and concerns, conflict or dispute avoidances, request for transfers, worker compensation claims or mediation raised by staff in the Member for Mitchell or Member for Gibson Electorate Office. [Date Range: 01/04/2014 to 07/09/2021]."

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
1	13/06/2017	Email	4	Refused in full	6(1) - Unreasonable disclosure of personal affairs
2	13/06/2017	Email	3	Refused in full	6(1) - Unreasonable disclosure of personal affairs
3	15/06/2017	Email	2	Refused in full	6(1) - Unreasonable disclosure of personal affairs
4	19/06/2017	Email	2	Refused in full	6(1) - Unreasonable disclosure of personal affairs
5	19/06/2017	Attachment to 4	1	Released in full	
6	14/11/2017	Email	5	Refused in full	6(1) - Unreasonable disclosure of personal affairs
7	14/11/2017	Attachment to 6	3	Refused in full	6(1) - Unreasonable disclosure of personal affairs
8		Attachment to 7	1	Refused in full	6(1) - Unreasonable disclosure of personal affairs
9	14/11/2017	Attachment to 6	2	Refused in full	6(1) - Unreasonable disclosure of personal affairs
10	14/11/2017	Attachment to 6	4	Refused in full	6(1) - Unreasonable disclosure of personal affairs
11	17/11/2017	Notes	3	Refused in full	6(1) - Unreasonable disclosure of personal affairs
12	17/11/2017	Email	4	Refused in full	6(1) - Unreasonable disclosure of personal affairs
13	17/11/2017	Attachment to 11	14	Refused in full	7(1)(c)(i)(ii)(A)(B) - Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest
14	17/11/2017	Email	10	Refused in full	6(1) - Unreasonable disclosure of personal affairs
15	21/11/2017	Email	5	Refused in full	6(1) - Unreasonable disclosure of personal affairs
16	22/11/2017	Email	2	Refused in full	6(1) - Unreasonable disclosure of personal affairs
17	27/11/2017	Email	3	Refused in full	6(1) - Unreasonable disclosure of personal affairs
18	28/11/2017	Email	4	Refused in full	6(1) - Unreasonable disclosure of personal affairs
19	29/11/2017	Email	2	Refused in full	6(1) - Unreasonable disclosure of personal affairs

OFFICIAL
Schedule of Documents

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
20	29/11/2017	Email	4	Refused in full	6(1) - Unreasonable disclosure of personal affairs
21	30/11/2017	Email	1	Refused in full	6(1) - Unreasonable disclosure of personal affairs
22	30/11/2017	Email	6	Refused in full	6(1) - Unreasonable disclosure of personal affairs
23	30/11/2017	Attachment to 21	3	Refused in full	6(1) - Unreasonable disclosure of personal affairs
24	1/12/2017	Email	2	Refused in full	6(1) - Unreasonable disclosure of personal affairs
25	2/01/2018	Email	3	Refused in full	6(1) - Unreasonable disclosure of personal affairs
26	2/01/2018	Attachment to 24	2	Refused in full	6(1) - Unreasonable disclosure of personal affairs
27	8/01/2018	Email	2	Refused in full	6(1) - Unreasonable disclosure of personal affairs
					6(2) - Contains allegations/suggestions not established by judicial process and disclosure would be unreasonable
28	9/01/2018	Letter	1	Refused in full	6(1) - Unreasonable disclosure of personal affairs

OFFICE MANAGER – MITCHELL ELECTORATE OFFICE

JOB DESCRIPTION

Position Summary

The Office Manager is responsible for the overall operation of the Mitchell Electorate Office, including responsibility for the supervision of other staff members and being the site contact in relation to a broad range of operational functions including management of Human Resources, Work Health and Safety, Global Allowance allocation, Accommodation and Security. The Office Manager may be required to represent the Member within the Electorate and is the primary contact and reference point for electorate matters and community issues.

Reporting/Working Relationship

The Office Manager reports directly to the Member for Mitchell and has supervisory responsibility for the trainee in the Mitchell Electorate Office.

Special Conditions

- Some out of hours work will be required (Please note salary is inclusive of 15% allowance for work undertaken outside of ordinary working hours)
- Attendance at meetings/events and some intrastate travel may be required
- The incumbent may be required to enter into a performance management agreement

Statement of Key Outcomes

- Accountable for the effective operation of the Mitchell Electorate Office including responsibility for workflow management and the accurate and timely completion of tasks
- Responsible for the management and supervision of other staff in the Mitchell Electorate Office including recruitment, training and development
- Manage the Global Allowance allocation including setting an annual budget, tracking expenditure and keeping the Member and other staff informed of budget related matters
- Provide a support service to constituents, including assisting with community enquiries, referral services, preparation of constituent correspondence
- Provide an interface between the Member for Mitchell, other Members, their staff, Ministerial Offices, Government offices, Community organisations and the public
- Coordinating community engagement and communication strategies in relation to Mitchell Electorate community issues
- Undertake research/project activities as directed by the Member for Mitchell

PERSONAL ATTRIBUTES

- High level customer service skills and the ability to communicate clearly and effectively with a wide variety of people from different backgrounds, showing empathy and understanding
- Ability to build relationships across the community with multiple and diverse stakeholders
- High level dispute resolution skills and the ability to remain calm and composed when faced with difficult people or stressful situations
- Capability to handle multiple tasks, determine appropriate priorities and respond quickly and efficiently

From: [DTE:Freedom of Information](#)
To: ["Papafilopoulos, Zoi"](#)
Subject: Internal reviews
Date: Friday, 15 October 2021 3:48:00 PM
Attachments: [Request for Internal Review TF210978.msg](#)
[Request for Internal Review TF210979.msg](#)
[image001.png](#)

Good afternoon

As per our phone discussion, the determination for both of these applications is currently being signed off and should be sent to your office next week. Confirming that you are withdrawing these internal reviews at this stage, however you may resubmit an internal review if you are unhappy with the decision or if the determination is not received in a timely manner.

Kind Regards

Natalie Haigh

FOI Officer | Information Management | Organisation and Governance
State Administration Centre, 200 Victoria Square ADELAIDE SA 5000
t 8429 0839 | e natalie.haigh@sa.gov.au | w treasury.sa.gov.au



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From: [Papafilopoulos, Zoi](#)
To: [DTE:Freedom of Information](#)
Subject: Request for Internal Review T&F21/0978
Date: Friday, 15 October 2021 3:02:13 PM
Attachments: [Koutsantonis request for IR DTF 11252498.pdf](#)

To the Principal FOI Officer

Please find attached a request for an Internal Review sent on behalf of the Hon Tom Koutsantonis MP.

Yours sincerely

Zoi Papafilopoulos JP | [Electorate Assistant to the](#)
Hon Tom Koutsantonis MP | [Member for West Torrens](#)
Shadow Minister for Infrastructure and Transport
Shadow Minister for Mining and Energy
Shadow Minister for Government Accountability

229 Henley Beach Road, Torrensville SA 5031
T: 08 8234 0777 | M: 0413 339 488
Website: www.koutsmp.com.au

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Hon Tom Koutsantonis MP

Member for West Torrens

The Principal FOI Officer
Department of Treasury and Finance
GPO Box 1045
ADELAIDE SA 5001

via email: FreedomofInformation2@sa.gov.au

Dear Sir/Madam

I refer to FOI application number 11252498 made on 7 September 2021 under the Freedom of Information Act 1991 (the FOI Act) seeking the following documents:

A copy of all documents that relate to allegations of intimidation, staff complaints and concerns, conflict or dispute avoidances, request for transfers, worker compensation claims, or mediation raised by staff in the Member for Mitchell's or Member for Gibson's Electorate Office

Timeframe from 1 April 2014 to 7 September 2021

I am now dissatisfied with the determination as a response was not provided within 30 calendar days and I now request an internal review be conducted in accordance with section 29 of the FOI Act.

If a response or determination is not received within 14 calendar days in accordance with the FOI Act, I will seek an external review be conducted by the Ombudsman.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Tom Koutsantonis".

Hon Tom Koutsantonis MP
Shadow Minister for Government Accountability

13 October 2021

From: [Papafilopoulos, Zoi](#)
To: [DTE:Freedom of Information](#)
Subject: Request for Internal Review T&F21/0979
Date: Friday, 15 October 2021 3:00:40 PM
Attachments: [Koutsantonis request for IR DTF 11252524.pdf](#)

To the Principal FOI Officer

Please find attached , a request for an Internal Review sent on behalf of the Hon Tom Koutsantonis MP.

Yours sincerely

Zoi Papafilopoulos JP | [Electorate Assistant to the](#)
Hon Tom Koutsantonis MP | [Member for West Torrens](#)
Shadow Minister for Infrastructure and Transport
Shadow Minister for Mining and Energy
Shadow Minister for Government Accountability

229 Henley Beach Road, Torrensville SA 5031
T: 08 8234 0777 | M: 0413 339 488
Website: www.koutsmp.com.au

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Hon Tom Koutsantonis MP

Member for West Torrens

The Principal FOI Officer
Department of Treasury and Finance
GPO Box 1045
ADELAIDE SA 5001

via email: FreedomofInformation2@sa.gov.au

Dear Sir/Madam

I refer to FOI application number 11252524 made on 7 September 2021 under the Freedom of Information Act 1991 (the FOI Act) seeking the following documents:

A copy of all documents in relation to allegations of fraud or fraudulent activity in the Member for Mitchell's or Member for Gibson's Electorate Office

Timeframe from 1 April 2014 to 7 September 2021

I am now dissatisfied with the determination as a response was not provided within 30 calendar days and I now request an internal review be conducted in accordance with section 29 of the FOI Act.

If a response or determination is not received within 14 calendar days in accordance with the FOI Act, I will seek an external review be conducted by the Ombudsman.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Tom Koutsantonis", with a long horizontal stroke extending to the left.

Hon Tom Koutsantonis MP
Shadow Minister for Government Accountability

13 October 2021

From: [Papafilopoulos, Zoi](#)
To: [DTF:Freedom of Information](#)
Subject: RE: Internal reviews
Date: Friday, 15 October 2021 3:53:55 PM
Attachments: [image001.png](#)

Thanks Natalie, that's fine !

Zoi

From: DTF:Freedom of Information <FreedomofInformation2@sa.gov.au>
Sent: Friday, 15 October 2021 3:49 PM
To: Papafilopoulos, Zoi <Zoi.Papafilopoulos@parliament.sa.gov.au>
Subject: Internal reviews

Good afternoon

As per our phone discussion, the determination for both of these applications is currently being signed off and should be sent to your office next week. Confirming that you are withdrawing these internal reviews at this stage, however you may resubmit an internal review if you are unhappy with the decision or if the determination is not received in a timely manner.

Kind Regards

Natalie Haigh

FOI Officer | Information Management | Organisation and Governance
State Administration Centre, 200 Victoria Square ADELAIDE SA 5000
t 8429 0839 | e natalie.haigh@sa.gov.au | w treasury.sa.gov.au



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From: [Cathro, Vicky \(DTF\)](#)
To: [DTF:Freedom of Information](#)
Subject: RE: FOI determination for noting - T&F21/0979
Date: Monday, 18 October 2021 11:51:34 AM
Attachments: [image001.png](#)

Good morning

Noted by our office.

Kind Regards

Vicky

Vicky Cathro

MLO (Housing and Urban Development) and
 FOI Officer to the Treasurer
 the Hon Rob Lucas MLC

Phone: 8226 9769

Email: Vicky.cathro@sa.gov.au

Level 8, 200 Victoria Square
 State Administration Centre
 ADELAIDE SA 5000

From: DTF:Freedom of Information
Sent: Friday, 15 October 2021 3:54 PM
To: De Gennaro, Gino (DTF) <Gino.DeGennaro@sa.gov.au>
Cc: Wilson, Claire (DTF) <Claire.Wilson4@sa.gov.au>; Cathro, Vicky (DTF) <Vicky.Cathro@sa.gov.au>;
 Mesisca, Luigi (DTF) <Luigi.Mesisca@sa.gov.au>; Tonkin, Kate (DTF) <Kate.Tonkin2@sa.gov.au>; Colegate,
 Rachael (DTF) <Rachael.Colegate@sa.gov.au>
Subject: FOI determination for noting - T&F21/0979

Good afternoon

Please find attached determination minute, draft letter and release documents to be noted.

Comments sought by 3pm Wednesday 20 October 2021.

Thank you

Natalie Haigh

FOI Officer | Information Management | Organisation and Governance
 State Administration Centre, 200 Victoria Square ADELAIDE SA 5000
 t 8429 0839 | e natalie.haigh@sa.gov.au | w treasury.sa.gov.au



From: [Papafilopoulos, Zoi](#)
To: [DTE:Freedom of Information](#)
Subject: Request for Internal Review T&F21/0979
Date: Friday, 22 October 2021 4:36:31 PM
Attachments: [IR request T&F21 0979.pdf](#)

To whom it may concern

Please find attached a request for an Internal Review for FOI Determination T&F21/0979 sent on behalf of the Hon Tom Koutsantonis MP

Kind regards

Zoi

Zoi Papafilopoulos JP | Electorate Assistant to the
Hon Tom Koutsantonis MP | Member for West Torrens
Shadow Minister for Infrastructure and Transport
Shadow Minister for Mining and Energy
Shadow Minister for Government Accountability

229 Henley Beach Road, Torrensville SA 5031
T: 08 8234 0777 | M: 0413 339 488
Website: www.koutsmp.com.au

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Hon Tom Koutsantonis MP

Member for West Torrens

Principal FOI Officer
Department of Treasury and Finance
GPO Box 1045
ADELAIDE SA 5001

via email: FreedomofInformation2@sa.gov.au

Dear Principal FOI Officer

I am writing to request an internal review in relation to Freedom of Information determination T&F21/0979.

The terms of my application were:

- *'A copy of all Documents in relation allegations of Fraud or Fraudulent Activity in the Member for Mitchell or Member for Gibson Electorate Office. [Date Range: 01/04/2014 to 07/09/2021]'*

I lodged the application on 7 September 2021 and received a response on 20 October 2021.

You have determined to exempt documents 1 and 2 in full in accordance with clause 6(1) of the FOI Act – Unreasonable disclosure of personal affairs and 6(2) – Contains allegations/suggestions not established by judicial process and disclosure would be unreasonable.

It is astonishing that this determination has come from the same agency that released documents via FOI in relation to Labor Members of Parliament but has made a different determination in relation to a Liberal Member of Parliament.

I would refer you to recent FOI determinations by the Department of Treasury and Finance (TRS21D1148, T&F21/0296, T&F21/0295) that released documents in part that included allegations and suggestions of criminal or other improper conduct which had not been established by a judicial process. Appropriately, the Department redacted the name and other identifying details of the complainant.

The release of these documents by DTF I believe has set a precedent and as a result I request you reconsider the determination made regarding documents 1-2 or provide a clear explanation why there was a different determination regarding my application.

I also seek your review whether the documents are validly classified as personal affairs. If the documents do contain personal affairs and it would be unreasonable to disclose the information, I seek review as to whether this information can be redacted and the documents partially released, as per section 20(4) of the Act.

If a response is not received within 14 calendar days in accordance with the FOI Act I will seek an external review be conducted by the Ombudsman.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tom Koutsantonis', with a long horizontal line extending to the left.

Hon Tom Koutsantonis MP
Shadow Minister for Government Accountability

22/10/2021

From: [Papafilopoulos, Zoi](#)
To: [DTE:Freedom of Information](#)
Subject: Request for Internal Review T&F21/0978
Date: Friday, 22 October 2021 5:01:17 PM
Attachments: [IR request T&F21-0978.pdf](#)

To whom it may concern

Please find attached a request for an Internal Review for FOI Determination T&F21/0978 sent on behalf of the Hon Tom Koutsantonis MP

Kind regards

Zoi

Zoi Papafilopoulos JP | [Electorate Assistant to the](#)
Hon Tom Koutsantonis MP | [Member for West Torrens](#)

Shadow Minister for Infrastructure and Transport

Shadow Minister for Mining and Energy

Shadow Minister for Government Accountability

229 Henley Beach Road, Torrensville SA 5031

T: 08 8234 0777 | M: 0413 339 488

Website: www.koutsmp.com.au

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Hon Tom Koutsantonis MP

Member for West Torrens

Principal FOI Officer
Department of Treasury and Finance
GPO Box 1045
ADELAIDE SA 5001

via email: FreedomofInformation2@sa.gov.au

Dear Principal FOI Officer

I am writing to request an internal review in relation to Freedom of Information determination T&F21/0978

The terms of my application were:

- *'A copy of all documents that relate to allegations of intimidation, staff complaints and concerns, conflict or dispute avoidances, request for transfers, worker compensation claims or mediation raised by staff in the Member for Mitchell's or Member for Gibson's (sic) Electorate Office [Date range: 1/4/2014 to 7/9/2021].'*

I lodged the application on 7 September 2021 and received a response on 22 October 2021.

You have determined to exempt documents 1-4, 6-12 and 14-28 in full in accordance with clause 6(1) of the FOI Act – Unreasonable disclosure of personal affairs or 6(2) – Contains allegations/suggestions not established by judicial process and disclosure would be unreasonable.

Document 13 has been refused in accordance with clause 7(1)(c)(i)(ii)(A)(B) – Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest.

I once again refer you to a determination TRS21D1148 which related to the Member for Badcoe. The wording of that application and the above application are almost identical, yet you have decided to refuse in full these documents that relate to a Liberal Member of Parliament and current Government Minister.

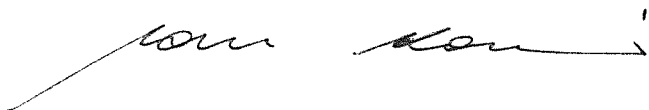
I would also refer you to other FOI determinations by the Department of Treasury and Finance (T&F21/0296, T&F21/0295) that released documents in part that included allegations and suggestions of criminal or other improper conduct which had not been established by a judicial process. Appropriately, the Department redacted the name and other identifying details of the complainant.

The release of these documents by DTF I believe has set a precedent and as a result I request you reconsider the determination made regarding documents 1-4, 6-12 and 14-28 or provide a clear explanation why there was a different determination regarding my application.

I also seek your review whether the documents are validly classified as personal affairs. If the documents do contain personal affairs and it would be unreasonable to disclose the information, I seek review as to whether this information can be redacted and the documents partially released, as per section 20(4) of the Act.

If a response is not received within 14 calendar days in accordance with the FOI Act I will seek an external review be conducted by the Ombudsman.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Tom Koutsantonis', with a long horizontal flourish extending to the right.

Hon Tom Koutsantonis MP
Shadow Minister for Government Accountability

22/10/2021

From: DTF:Freedom of Information
To: westtorrens@parliament.sa.gov.au
Subject: Freedom of Information Internal Review Acknowledgment - T&F21/0978 & T&F21/0979
Date: Monday, 25 October 2021 2:14:00 PM

Freedom of information application

I am writing to acknowledge the applications for internal review under section 29 of the *Freedom of Information Act 1991* (the FOI Act), received from the Hon Tom Koutsantonis MP on 22 October 2021 by the Department of Treasury and Finance (DTF), in relation to an application requesting access to:

- *T&F21/0978: A copy of all documents that relate to allegations of intimidation, staff complaints and concerns, conflict or dispute avoidances, request for transfers, worker compensation claims or mediation raised by staff in the Member for Mitchell's or Member for Gibon's (sic) Electorate Office [Date range: 1/4/2014 to 7/9/2021].*
- *T&F21/0979: A Copy of all Documents in Relation Allegations of Fraud or Fraudulent Activity in the Member for Mitchell or Member for Gibson Electorate Office. [Date Range: 01/04/2014 to 07/09/2021].*

In accordance with the FOI Act, DTF has 14 days from the date this application for internal review was received to deal with the request. A determination on the application for internal review is therefore due on 5 November 2021.

If an internal review determination is not provided by the due date, DTF will be deemed to have refused access to all documents relevant to the request. Under subsection 39(2) of the FOI Act, the applicant will be entitled to exercise their right to apply to the Ombudsman for an external review of DTF's deemed refusal. If there are any questions about the external review process, please contact the Ombudsman's office on 8226 8699. If you have any other queries, please contact me on (08) 8429 3631.

Regards

Russell Withers

FOI Officer | Information and Technology | Strategy and Governance

State Administration Centre, Level 11, 200 Victoria Square ADELAIDE SA 5000
t 8429 3631 | e russell.withers@sa.gov.au | w treasury.sa.gov.au

cid:image001.png@01D7C985.484F7840



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From: [DTF:Freedom of Information](#)
To: [Tatarelli, Paul \(DTF\)](#)
Cc: [Smith, Tony \(DTF\)](#)
Subject: New Freedom of Information Application - Multiple applications - RESPONSE DUE 17 September 2021
Date: Wednesday, 8 September 2021 11:29:00 AM
Attachments: [Electronic discovery response.pdf](#)
[Document Schedule template.xlsx](#)
[Minute - FOI Branch Response Template.doc](#)
[image001.png](#)

Good morning

DTF has received multiple FOI application from Hon Tom Koutsantonis MP seeking:

File Number	Description
T&F21/0979	A Copy of all Documents in Relation Allegations of Fraud or Fraudulent Activity in the Member for Mitchell or Member for Gibson Electorate Office. [Date Range: 01/04/2014 to 07/09/2021]
T&F21/0978	A copy of all documents that relate to allegations of intimidation, staff complaints and concerns, conflict or dispute avoidances, request for transfers, worker compensation claims or mediation raised by staff in the Member for Mitchell or Member for Gibson Electorate Office. [Date Range: 01/04/2014 to 07/09/2021]

Out of scope

To assist the FOI Unit in processing the application, would your Branch please:

1. search databases and information stores including any associated travelling file(s) to locate relevant documents. If no documents are located, please email the FOI Unit advising there are no documents in scope.
2. Any documents found are to be provided electronically using the attached work instruction – “Electronic Discovery Response”.
3. Complete the attached “Minute – FOI Branch Request template”, including any comments or advice,
4. Use the attached “Document Schedule template” to list documents identified. **If your branch have concerns with the release of any of the documents provided, please use the appropriate sections on the schedule to provide information to assist the FOI Unit to make a determination as to whether the documents may be exempt.**
5. Send the completed schedule (in Excel format) via return email to DTF:Freedom of Information.

Please provide your branch discovery response by the due date in the subject line. If you have any concerns with this timeframe, please email DTF:Freedom of Information immediately.

Should you require assistance regarding this request, please contact me on 90839.

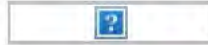
Regards

Natalie Haigh
 FOI Officer | Information Management | Organisation and Governance
 State Administration Centre, 200 Victoria Square ADELAIDE SA 5000
 t 8429 0839 | e natalie.haigh@sa.gov.au | w treasury.sa.gov.au



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From: [Kiteworks](#)
To: [DTE:Freedom of Information](#)
Subject: T&F21/0978
Date: Friday, 24 September 2021 12:07:41 PM



natasha.weggery2@sa.gov.au sent you a
secure message

Access message

Secured by Accellion



Attachments expire on Oct 24, 2021



17 files

1 20170613 **Clause 6(1)** 3 20170615 RE Mitchell meeting follow
 up.msg, 4 20170619 FW Position Description - Office Manager Mitchell
 EO (11).msg, 2 20170613 FW Mitchell EO meeting.msg, 6 20171114 FW
Clause 6(1) - Assistant to the Member for Mitchell.msg, 11 20171117
 Fwd Copy of documents.msg, 13 20171117 RE **Clause 6(1)** - Assistant
 to the Member for Mitchell (2).msg, 14 20171121 **Clause 6(2)**
Clause 6(2) , 15 20171122 Fwd Yesterday's catch up.msg, 16
 20171127 Fwd Weekly update.msg, 17 20171128 **Clause 6(1)**
Clause 6(1) , 18 20171129 Fw
Clause 6(1) , 19 20171129 FW Position Description - Office Manager
 Mitchell EO.msg, 20 20171130 Follow up.msg, 21 20171130 **Clause 6(1)**
Clause 6(1) - Assistant to the Member for Mitchell (1).msg, 23 20171201 FW
Clause 6(1) 24 20180102 FW Draft Letter -
Clause 6(1)



1 document

10 20171117 Discussion Notes **Clause 6(1)** .docx



2 PDFs

26 20180108 Resignation.pdf, 27 20180109 Acceptance of Resignation.pdf

This message requires that you sign in to access the message and any file attachments.

Withers, Russell (DTF)

From: Tatarelli, Paul (DPC)
Sent: Tuesday, 13 June 2017 9:52 AM
To: Samarzia, Lisa (DPC); Koch, Kylie (DPC)
Subject: FW: Health.

Note there is a meeting tomorrow at 12noon at Mitchell.

Paul Tatarelli

6(1) Personal affairs

6(1) Personal affairs

6(1) Personal affairs

6(1) Personal affairs

6(1) Personal affairs

6(1) Personal affairs

6(1) Personal affairs

OFFICE MANAGER – MITCHELL ELECTORATE OFFICE

JOB DESCRIPTION

Position Summary

The Office Manager is responsible for the overall operation of the Mitchell Electorate Office, including responsibility for the supervision of other staff members and being the site contact in relation to a broad range of operational functions including management of Human Resources, Work Health and Safety, Global Allowance allocation, Accommodation and Security. The Office Manager may be required to represent the Member within the Electorate and is the primary contact and reference point for electorate matters and community issues.

Reporting/Working Relationship

The Office Manager reports directly to the Member for Mitchell and has supervisory responsibility for the trainee in the Mitchell Electorate Office.

Special Conditions

- Some out of hours work will be required (Please note salary is inclusive of 15% allowance for work undertaken outside of ordinary working hours)
- Attendance at meetings/events and some intrastate travel may be required
- The incumbent may be required to enter into a performance management agreement

Statement of Key Outcomes

- Accountable for the effective operation of the Mitchell Electorate Office including responsibility for workflow management and the accurate and timely completion of tasks
- Responsible for the management and supervision of other staff in the Mitchell Electorate Office including recruitment, training and development
- Manage the Global Allowance allocation including setting an annual budget, tracking expenditure and keeping the Member and other staff informed of budget related matters
- Provide a support service to constituents, including assisting with community enquiries, referral services, preparation of constituent correspondence
- Provide an interface between the Member for Mitchell, other Members, their staff, Ministerial Offices, Government offices, Community organisations and the public
- Coordinating community engagement and communication strategies in relation to Mitchell Electorate community issues
- Undertake research/project activities as directed by the Member for Mitchell

PERSONAL ATTRIBUTES

- High level customer service skills and the ability to communicate clearly and effectively with a wide variety of people from different backgrounds, showing empathy and understanding
- Ability to build relationships across the community with multiple and diverse stakeholders
- High level dispute resolution skills and the ability to remain calm and composed when faced with difficult people or stressful situations
- Capability to handle multiple tasks, determine appropriate priorities and respond quickly and efficiently

Withers, Russell (DTF)

From: Sorensen, Lee (DPC)
Sent: Tuesday, 14 November 2017 2:37 PM
To: Tatarelli, Paul (DPC)
Cc: Dikirr, Lynn (DPC); Samarzia, Lisa (DPC)
Subject: FW: **Clause 6(1)** - Assistant to the Member for Mitchell

Thanks Paul,

Will await to hear from you further. In the interim, Lynn will commence putting together some suggested speaking notes for the meeting.

6(1) Personal affairs

Thanks,

Lee Sorensen
Manager, HR Strategy
People and Culture
Department of the Premier and Cabinet

Mob: 0466 411 644
Tel: 08 8429 5746
lee.sorensen@sa.gov.au

Level 14, State Administration Centre
200 Victoria Square, Adelaide



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6(1) Personal affairs

6(1) Personal affairs

From: Dikirr, Lynn (DPC)
Sent: Thursday, 9 November 2017 5:24 PM
To: Samarzia, Lisa (DPC) <Lisa.Samarzia@sa.gov.au>
Cc: Tatarelli, Paul (DPC) <Paul.Tatarelli@sa.gov.au>; Sorensen, Lee (DPC) <Lee.Sorensen@sa.gov.au>
Subject: RE: **Clause 6(1)** - Assistant to the Member for Mitchell

Thanks Lisa – let us know if you require any assistance from us at any point.

Regards,

Lynn

6(1) Personal affairs

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7(1)(c) Business affairs

Withers, Russell (DTF)

From: Sorensen, Lee (DPC)
Sent: Friday, 17 November 2017 5:03 PM
To: Tatarelli, Paul (DPC); Dikirr, Lynn (DPC)
Cc: Samarzia, Lisa (DPC)
Subject: RE: **Clause 6(1)** - Assistant to the Member for Mitchell

Noted - thanks Paul.

Happy to discuss Monday.

Regards,
Lee

6(1) Personal affairs

-----Original Message-----

From: Sorensen, Lee (DPC)
 Sent: Wednesday, 15 November 2017 4:59 PM
 To: Dikirr, Lynn (DPC) <Lynn.Dikirr@sa.gov.au>; Tatarelli, Paul (DPC) <Paul.Tatarelli@sa.gov.au>
 Cc: Samarzia, Lisa (DPC) <Lisa.Samarzia@sa.gov.au>
 Subject: RE: **Clause 6(1)** - Assistant to the Member for Mitchell

Paul,

As referred to in Lynn's email, she commenced leave from COB Tuesday, so unfortunately we did not have the opportunity to review the draft meeting notes together.

Therefore, if you can please advise me of when the intended meeting is planned to occur with as mucho notice as possible, then I will review the draft notes to finalise in preparation. As previously discussed, I will also be provide some suggested wording for the intended meeting request as required.

If you can keep me informing of your discussions with Corey that would be great.

Should you wish to discuss, please let me know.

Regards,
 Lee Sorensen
 Manager, HR Strategy
 People and Culture
 Department of the Premier and Cabinet

Mob: 0466 411 644
 Tel: 08 8429 5746
 lee.sorensen@sa.gov.au

Level 14, State Administration Centre
 200 Victoria Square, Adelaide

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-----Original Message-----

From: Dikirr, Lynn (DPC)
 Sent: Wednesday, 15 November 2017 8:46 AM
 To: Tatarelli, Paul (DPC) <Paul.Tatarelli@sa.gov.au>
 Cc: Samarzia, Lisa (DPC) <Lisa.Samarzia@sa.gov.au>; Sorensen, Lee (DPC) <Lee.Sorensen@sa.gov.au>

Subject: RE: **Clause 6(1)** - Assistant to the Member for Mitchell

Hi Paul

As per Lee's email I have put together some speaking points to assist during the meeting. I would have liked to spend a bit more time on this than I did yesterday but as I was starting leave last night, I didn't have enough time to go through the emails and I link in the relevant examples so hopefully Lisa can do this prior to the meeting. It is only a rough outline – apologies for not being able to do more due to time constraints but hopefully it helps.

Regards,

Lynn

From: Sorensen, Lee (DPC)
Sent: Tuesday, 14 November 2017 2:37 PM
To: Tatarelli, Paul (DPC) <Paul.Tatarelli@sa.gov.au>
Cc: Dikirr, Lynn (DPC) <Lynn.Dikirr@sa.gov.au>; Samarzia, Lisa (DPC) <Lisa.Samarzia@sa.gov.au>
Subject: FW: **Clause 6(1)** - Assistant to the Member for Mitchell

Thanks Paul,

Will await to hear from you further. In the interim, Lynn will commence putting together some suggested speaking notes for the meeting.

6(1) Personal affairs

Thanks,

Lee Sorensen
Manager, HR Strategy
People and Culture
Department of the Premier and Cabinet

Mob: 0466 411 644
Tel: 08 8429 5746
lee.sorensen@sa.gov.au<mailto:lee.sorensen@sa.gov.au>

Level 14, State Administration Centre
200 Victoria Square, Adelaide

<< Message: Fwd: Weekly report >> [cid:image001.png@01D31FD5.F3123C30]

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6(1) Personal affairs

6(1) Personal affairs

From: Dikirr, Lynn (DPC)
Sent: Thursday, 9 November 2017 5:24 PM
To: Samarzia, Lisa (DPC) <Lisa.Samarzia@sa.gov.au<mailto:Lisa.Samarzia@sa.gov.au>>
Cc: Tatarelli, Paul (DPC) <Paul.Tatarelli@sa.gov.au<mailto:Paul.Tatarelli@sa.gov.au>>; Sorensen, Lee (DPC) <Lee.Sorensen@sa.gov.au<mailto:Lee.Sorensen@sa.gov.au>>
Subject: RE: **Clause 6(1)** - Assistant to the Member for Mitchell

Thanks Lisa – let us know if you require any assistance from us at any point.

Regards,

Lynn

6(1) Personal affairs

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6(1) Personal affairs

Withers, Russell (DTF)

From: Sorensen, Lee (DPC)
Sent: Tuesday, 28 November 2017 6:16 PM
To: Tatarelli, Paul (DPC)
Cc: Samarzia, Lisa (DPC)
Subject: RE: 6(1) Personal affairs

Hi Paul,

Apologies I was unable to draft the proposed response as discussed, however I was pulled away onto another urgent matter.

I will provide through as soon as I am able.

Regards,
Lee

6(1) Personal affairs

6(1) Personal affairs

Personal affairs

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6(1) Personal affairs

6(1) Personal affairs

Withers, Russell (DTF)

From: Dikirr, Lynn (DPC)
Sent: Thursday, 30 November 2017 9:50 AM
To: Tatarelli, Paul (DPC)
Cc: Samarzia, Lisa (DPC); Sorensen, Lee (DPC)
Subject: RE: **Clause 6(1)** - Assistant to the Member for Mitchell

Hi Paul

As per Lee's email I have put together some speaking points to assist you during the meeting. I would have liked to spend a bit more time on this than I did yesterday but as I was starting leave last night, I didn't have enough time to go through the emails and I link in the relevant examples so hopefully Lisa will have some capacity to do this prior to the meeting. It is only a rough outline – apologies for not being able to do more due to time constraints but hopefully it helps.



Discussion Notes
Clause 6(1)

Regards,

Lynn

From: Sorensen, Lee (DPC)
Sent: Tuesday, 14 November 2017 2:37 PM
To: Tatarelli, Paul (DPC) <Paul.Tatarelli@sa.gov.au>
Cc: Dikirr, Lynn (DPC) <Lynn.Dikirr@sa.gov.au>; Samarzia, Lisa (DPC) <Lisa.Samarzia@sa.gov.au>
Subject: FW: **Clause 6(1)** - Assistant to the Member for Mitchell

Thanks Paul,

Will await to hear from you further. In the interim, Lynn will commence putting together some suggested speaking notes for the meeting.

6(1) Personal affairs

Thanks,

Lee Sorensen
Manager, HR Strategy
People and Culture
Department of the Premier and Cabinet

Mob: 0466 411 644
Tel: 08 8429 5746
lee.sorensen@sa.gov.au

Level 14, State Administration Centre
200 Victoria Square, Adelaide

<< Message: Fwd: Weekly report >>

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6(1) Personal affairs

6(1) Personal affairs

From: Dikirr, Lynn (DPC)
Sent: Thursday, 9 November 2017 5:24 PM
To: Samarzia, Lisa (DPC) <Lisa.Samarzia@sa.gov.au>
Cc: Tatarelli, Paul (DPC) <Paul.Tatarelli@sa.gov.au>; Sorensen, Lee (DPC) <Lee.Sorensen@sa.gov.au>
Subject: RE: **Clause 6(1)** - Assistant to the Member for Mitchell

Thanks Lisa – let us know if you require any assistance from us at any point.

Regards,

Lynn

6(1) Personal affairs

6(1) Personal affairs

6(1) Personal affairs

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6(1) Personal affairs

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6(1) Personal affairs

Withers, Russell (DTF)

From: Samarzia, Lisa (DPC)
Sent: Tuesday, 2 January 2018 4:11 PM
To: Koch, Kylie (DPC)
Subject: FW: Draft Letter - **Clause 6(1)**
Attachments: Letter - **Clause 6(1)**

Tracking:	Recipient	Read
	Koch, Kylie (DPC)	Read: 2/01/2018 4:37 PM

FYI -

From: Tatarelli, Paul (DPC)
Sent: Thursday, 21 December 2017 4:15 PM
To: Sorensen, Lee (DPC) <Lee.Sorensen@sa.gov.au>
Cc: Dikirr, Lynn (DPC) <Lynn.Dikirr@sa.gov.au>; Smith, Tony (DPC) <Tony.Smith@sa.gov.au>; Samarzia, Lisa (DPC) <Lisa.Samarzia@sa.gov.au>
Subject: RE: Draft Letter - **Clause 6(1)**

Hi All

The attached letter to be posted in the pm of 22/12/2017.

Hi Lynn, I will be here until **Clause 6(1)** In my absence, Tony Smith will be undertaking the role of Manager Electorate Services and will liaise with you as required.

Regards

Paul Tatarelli

From: Sorensen, Lee (DPC)
Sent: Thursday, 21 December 2017 3:06 PM
To: Tatarelli, Paul (DPC) <Paul.Tatarelli@sa.gov.au>
Cc: Samarzia, Lisa (DPC) <Lisa.Samarzia@sa.gov.au>; Dikirr, Lynn (DPC) <Lynn.Dikirr@sa.gov.au>
Subject: RE: Draft Letter - **Clause 6(1)**

Hi Paul,

Further to our discuss of earlier today, can you email through a signed copy of the letter once you finalise, for our records.

If you require any further assistance on this matter, please refer to Lynn or to Gavin Thredgold.

Have a good break and I will see you in the new year.

Regards,
Lee Sorensen
Manager, HR Strategy
People and Culture
Department of the Premier and Cabinet

Mob: 0466 411 644
Tel: 08 8429 5746
lee.sorensen@sa.gov.au

Level 14, State Administration Centre
200 Victoria Square, Adelaide



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From: Sorensen, Lee (DPC)
Sent: Tuesday, 19 December 2017 1:08 PM
To: Tatarelli, Paul (DPC) <Paul.Tatarelli@sa.gov.au>
Cc: Samarzia, Lisa (DPC) <Lisa.Samarzia@sa.gov.au>; Dikirr, Lynn (DPC) <Lynn.Dikirr@sa.gov.au>
Subject: Draft Letter - **Clause 6(1)**

Paul,

Please find attached a draft letter to **Clause 6(1)** , for your review and consideration.

6(1) Personal affairs

Regards,
Lee Sorensen
Manager, HR Strategy
People and Culture
Department of the Premier and Cabinet

Mob: 0466 411 644
Tel: 08 8429 5746
lee.sorensen@sa.gov.au

Level 14, State Administration Centre
200 Victoria Square, Adelaide



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6(1) Personal affairs

6(1) Personal affairs

Clause 6(1)

6(1) Personal affairs, 6(2) Unproven allegation

6(1) Personal affairs

From: [DTF:Freedom of Information](#)
To: [De Gennaro, Gino \(DTF\)](#)
Cc: [Wilson, Claire \(DTF\)](#); [Cathro, Vicky \(DTF\)](#); [Mesisca, Luigi \(DTF\)](#); [Tonkin, Kate \(DTF\)](#)
Subject: FOI determination for noting - T&F21/0978 **Out of scope**
Date: Friday, 15 October 2021 4:11:00 PM

Good afternoon

Please find attached for noting:

- T&F21/0978 - determination minute, draft letter and release document. Comments sought by 3 pm Friday 22 October 2021.

Out of scope

Thank you

Russell Withers

FOI Officer | Information and Technology | Strategy and Governance

State Administration Centre, Level 11, 200 Victoria Square ADELAIDE SA 5000
t 8429 3631 | e russell.withers@sa.gov.au | w treasury.sa.gov.au



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From: [Cathro, Vicky \(DTF\)](#)
To: [DTF:Freedom of Information](#)
Subject: RE: FOI determination for noting - T&F21/0978 **Out of scope**
Date: Monday, 18 October 2021 11:52:14 AM
Attachments: [image001.png](#)

Hi Russell

Noted by our office.

Kind Regards

Vicky

Vicky Cathro

MLO (Housing and Urban Development) and
 FOI Officer to the Treasurer
 the Hon Rob Lucas MLC

Phone: 8226 9769

Email: Vicky.cathro@sa.gov.au

Level 8, 200 Victoria Square
 State Administration Centre
 ADELAIDE SA 5000

From: DTF:Freedom of Information
Sent: Friday, 15 October 2021 4:12 PM
To: De Gennaro, Gino (DTF) <Gino.DeGennaro@sa.gov.au>
Cc: Wilson, Claire (DTF) <Claire.Wilson4@sa.gov.au>; Cathro, Vicky (DTF) <Vicky.Cathro@sa.gov.au>; Mesisca, Luigi (DTF) <Luigi.Mesisca@sa.gov.au>; Tonkin, Kate (DTF) <Kate.Tonkin2@sa.gov.au>
Subject: FOI determination for noting - T&F21/0978 and T&F21/1021

Good afternoon

Please find attached for noting:

- T&F21/0978 - determination minute, draft letter and release document. Comments sought by 3 pm Friday 22 October 2021.

Out of scope

Thank you

Russell Withers

FOI Officer | Information and Technology | Strategy and Governance

State Administration Centre, Level 11, 200 Victoria Square ADELAIDE SA 5000
 t 8429 3631 | e russell.withers@sa.gov.au | w treasury.sa.gov.au



