



File: T&F21/0295
A1807122

12 May 2021

Mr Gabriel Polychronis
The Advertiser
31 Waymouth Street
ADELAIDE SA 5000

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: gabriel.polychronis@news.com.au

Dear Mr Polychronis

Freedom of Information – Complaints at Badcoe Electorate office

I refer to your application under the *Freedom of Information Act 1991* (FOI Act), received by the Department of Treasury and Finance (DTF) on 24 March 2021

Your application specifically requested:

'Any document that refers to complaints or concerns expressed by employees who have worked in the office of the Member for Badcoe about the behaviour of the Member for Badcoe. And, any document that refers to Workers Compensation claims by employees who have worked in the office of the Member for Badcoe arising out of complaints or concerns expressed about the behaviour of the Member for Badcoe'

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

- I grant you access in part to 2 documents, copies of which are enclosed, and
- I refuse you access to 2 documents.

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

Documents released in part

Documents 3 – 4

These documents consists of information relating to the personal affairs of third parties. Under clause 6(1) of Schedule 1 to the 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).

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 4 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).

Documents refused in full

Documents 1 – 2

These documents consists of information relating to the personal affairs of third parties. Under clause 6(1) of Schedule 1 to the 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).

Document 2 also contains allegations or suggestions of improper conduct, the truth of which has not been established by a judicial process and disclosing this information would be unreasonable. I have therefore determined to exempt this information pursuant to clause 6(2) 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.*

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 accompanied by the application fee of \$37.50
- 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 Natalie Haigh on (08) 8429 0839.

Yours sincerely



Maria Ross
ACCREDITED FREEDOM OF INFORMATION OFFICER

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Schedule of Documents

T&F21/0295 - Gabriel Polychronis - " Any document that refers to complaints or concerns expressed by employees who have worked in the office of the Member for Badcoe about the behaviour of the Member for Badcoe. And, any document that refers to Workers Compensation claims by employees who have worked in the office of the Member for Badcoe arising out of complaints or concerns expressed about the behaviour of the Member for Badcoe. Date Range: March 2018 to 24 March 2021."

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
1	22/01/2020	Email	1	Refused in full	6(1) - Unreasonable disclosure of personal affairs
2	11/02/2021	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
3	12/02/2021	Email	1	Released in part	6(1) - Unreasonable disclosure of personal affairs
4	15/02/2021	Minute	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

Haigh, Natalie (DTF)

From: Tatarelli, Paul (DTF)
Sent: Monday, 3 May 2021 11:02 AM
To: Smith, Tony (DTF)
Subject: FW: Badcoe trainee

From: Dimas, Tina (DTF) <Tina.Dimas@sa.gov.au>
Sent: Monday, 3 May 2021 10:58 AM
To: Tatarelli, Paul (DTF) <Paul.Tatarelli@sa.gov.au>
Subject: FW: Badcoe trainee

Tina Dimas
HR Account Manager, Electorate Services | Financial Management, Reporting and Policy
State Admin Centre, Level 6, 200 Victoria Square ADELAIDE SA 5000
t 822 63529 | e tina.dimas@sa.gov.au | w treasury.sa.gov.au

From: Tatarelli, Paul (DTF) <Paul.Tatarelli@sa.gov.au>
Sent: Friday, 12 February 2021 12:45 PM
To: Koch, Kylie (DTF) <Kylie.Koch@sa.gov.au>; Dimas, Tina (DTF) <Tina.Dimas@sa.gov.au>
Cc: Samarzia, Lisa (DTF) <Lisa.Samarzia@sa.gov.au>
Subject: Badcoe trainee

Hello,

Not sure which of you should do this, so you can sort that out amongst yourselves.

Can ^{Clause 6(1)} please be advised that the delegate in Electorate Services has given ^{Clause 6} a direction to not attend the Badcoe EO from 15/2/21 – 19/2/21. ^{Clause 6(} is to remain at home, on remuneration, and be available to be contacted / respond to directions given by Electorate Services during ordinary hours.

When Electorate Services has received a response from the Treasurer, then I will meet with the Member to advise her formally of the actions taken by DTF to withdraw ^{Clause 6} from the Badcoe EO.

In the mean time we will need to investigate / decide on what placement options are available for us.

Thanks

Paul Tatarelli

Manager, Electorate Services, | Organisation and Governance

State Administration Centre, Level 6, 200 Victoria Square ADELAIDE SA 5000

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and Finance**



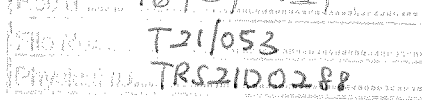
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MINUTE

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Government
of South Australia
Department of Treasury
and Finance

MINUTES forming ENCLOSURE

File ES20/0168

Doc No A1733002

To The Treasurer

DEPARTMENT OF TREASURY AND FINANCE TRAINEE PLACED IN THE OFFICE FOR
THE MEMBER FOR BADCOE

Timing: URGENT — A decision is required before 17/02/2021

Recommendations/Issues: It is recommended that you:

- **Clause 6(1), Clause 6(2)**

Clause 6(1), Clause 6(2) Noted

Rob Lucas

Hon Rob Lucas MLC
Treasurer

16/2/21

Key Points:

- Electorate Services has had recent contact from the current DTF trainee in the office of the Member for Badcoe, who commenced there on the 16 November 2020. The trainee

Clause 6(1), Clause 6(2)

- **Clause 6(1), Clause 6(2)**

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• Clause 6(1), Clause 6(2)

- The Badcoe EO since 2018 has experienced a higher than expected turnover of staff and Clause 6(1), Clause 6(2)
- Clause 6(1), Clause 6(2)

Electorate Services will engage with the Member to advise that the trainee will be recalled to the Department and that alternative placement arrangements will be made for ^{Clause 6(1)}


- Clause 6(1), Clause 6(2)



Paul Tatarelli
Manager, Electorate Services
15 February 2021

Contact Officer:	Paul Tatarelli
Telephone:	0408841055
Email address:	paul.tatarelli@sa.gov.au

Supported / Not Supported



David Reynolds
CHIEF EXECUTIVE
Department of Treasury and Finance
Date...10/2/21...