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Ms Shelley Wilkins  
Executive Director  
Citizens Committee on Human Rights Inc.  
PO Box 6402  
NORTH SYDNEY NSW 2059

6 January 2020

Dear Ms Wilkins

**Your Freedom of Information Request – FOI Decision Letter**

1. I refer to your letter of 9 December 2019 to the Productivity Commission (the Commission) seeking access to documents under the *Freedom of Information Act 1982* (Cth) (FOI Act).
2. Your request is for:
  - a. *The Guidelines that were written for the Expanded Healthy Kids Check from the Commission's Draft Report for the Inquiry into Mental Health (page 658).*
  - b. *The assessment tools, checklists or diagnostic instruments for screening children who attend ECEC Services olds that is proposed in the Commission's Draft Report Inquiry into Mental Health, page 658 and 659.*
  - c. *The assessment tools, checklists or diagnostic instruments for screening (emotional and wellbeing checks per the Draft Report) of children ages 0-3 years olds that is proposed in the Commission's Draft Report Inquiry into Mental Health page 11 and 12.'*
3. The Commission acknowledged your request, by mail, on 19 December 2019.
4. The statutory time period for processing your request will expire on 15 January 2020.
5. I confirm that I have made a decision regarding access to the documents you requested.

**Decision**

6. A search of the Commission's records was conducted and inquiries made to staff likely to know and identify relevant documents.

No documents were identified and no documents were found. I am satisfied the Commission is not in possession of any document which would fall within the scope of your request.

Under subsection 24A(1) of the FOI Act, if all reasonable steps have been taken to find documents that are the subject of an FOI request, and the agency is satisfied that no documents can be found or exist within the agency, then the agency may refuse the request. Accordingly, my decision under the Act is to refuse your request.



## **Internal Review**

7. If you are dissatisfied with this decision, you have certain rights of review available to you. Under section 54 of the FOI Act, you may apply for an internal review of the decision. You must apply in writing for an internal review of the decision within 30 days of receiving this notice. There is no fee to make a request for an internal review.
8. If you make an application for internal review, it will be conducted by another officer of the Commission. That person will make a fresh decision on the merits of the case. No particular form is required to apply for review although it will assist your case to set out in the application the grounds on which you believe that the original decision should be overturned.
9. An application for a review of the decision should be emailed to [foi@pc.gov.au](mailto:foi@pc.gov.au) or mailed to:  
Head of Office  
Productivity Commission  
Locked Bag 2, Collins Street, East  
Melbourne VIC 8003  
Attention: Corporate Services Branch – Office Services

## **Review by Information Commissioner**

10. You have the option of seeking a merits review by the Information Commissioner. For more information, please refer to FOI Fact Sheet 12, published by the Office of the Australian Information Commissioner.

## **Complaints to the Australian Information Commissioner and the Commonwealth Ombudsman**

11. If you are not satisfied with the way your request has been processed, you can complain to the Australian Information Commissioner or the Commonwealth Ombudsman. Generally, the Ombudsman will consult the Office of the Australian Information Commission to avoid the same matter being investigated twice.

## **Contact person**

12. If you require clarification of any of the matters discussed in this letter, please do not hesitate to contact the Commission's FOI Coordinator 03 9653 2100 or email [foi@pc.gov.au](mailto:foi@pc.gov.au).

Yours sincerely



Mary Cavar

Executive Manager

FOI Decision maker (in accordance with s23(1) of the FOI Act)