



Form: Application for External Review by the Information Commissioner

December 2018

NOTE: This is an electronically editable PDF. Once you have completed the form electronically, save it as a file for your records and email it to ipcinfo@ipc.nsw.gov.au. Alternatively, you can print your completed form and post or fax to us (see Section 4 below for postal and fax details). If you prefer to complete this form by hand, simply print off this PDF form and complete, attaching A4 pages for any extended responses.

Use this form if you are applying for an external review by the Information Commissioner of a reviewable decision under the *Government Information (Public Access) Act 2009 (GIPA Act)*.

The Information Commissioner undertakes external reviews of decisions by agencies in deciding access applications under the GIPA Act. Under section 92A of the GIPA Act the Information Commissioner must complete the external review, and make any recommendations to the agency, within 40 working days after the Information Commissioner receives all information the Information Commissioner thinks necessary to complete the review.

The Information Commissioner may seek agreement from you to extend the 40 working day review period. Any agreed extension to the timeframe must also be notified to the agency. You will be advised when the Information Commissioner has received all the information necessary to progress your review, including the date that your external review is due to be completed. You will be advised once the review is completed, including any recommendations made by the Information Commissioner

If the Information Commissioner does not complete the external review within 40 working days, the Information Commissioner is deemed to have made no recommendations to the agency. This means that the original decision made by the agency stands and you must seek a review by the New South Wales Civil and Administrative Tribunal (NCAT).

NOTE:

- *Applications for review by the Information Commissioner do not require the payment of a fee and, in most cases the review can be conducted without you attending the IPC. At the conclusion of the review the Information Commissioner may make recommendations to the agency including a recommendation to reconsider the decision. Reviews by the Information Commissioner are conducted promptly and through an inexpensive process. However, reviews are reliant upon the cooperation of the applicant and the agency – in particular, the provision of information by agencies and applicants. **This form highlights the importation that is essential to progressing your application.***
- *We will need to contact you about the external review, so please provide your name and contact details including one contact number if possible and an email address. If you do not provide this information we may not be able to contact you should we need to discuss your review.*
- *We will use the information you provide to assess, and undertake your external review application. We will usually provide a copy of your external review application (excluding your contact details) to the agency concerned, and if necessary, others who have relevant information about the external review. By completing and submitting this form you consent to the IPC using your information for these purposes. If you have any questions about this or need help to complete this form, please contact our enquiry line on 1800 472 679.*
- *Your personal information will be used and stored in accordance with the Privacy and Personal Information Protection Act 1998 (NSW). Further information about how the IPC manages personal information is available in the IPC Privacy Management Plan available at <https://www.ipc.nsw.gov.au/privacy-management-plans>*

Section 1: Details

1. Name and address of the agency who made the decision you are requesting an external review of:

2. Your full name:

3. Your postal address:

4. Telephone number:

5. Email address:

6. Do you require special assistance when communicating with us? If so, please select:

- Large font
 National Relay Service
 Translating & Interpreting Service

Important information: If the application is on behalf of someone else, please provide as an attachment a copy of your authority to act on their behalf

7. Their name and contact details below:

8. What is your relationship to this person? (e.g. parent / friend / lawyer)

9. Please tick which of the following describes your application: (you may tick more than one option)

- You did not receive a decision after making a formal access application to an agency
 You disagree with a formal decision made by the agency

10. If you formally applied for information, what date did you apply to the agency?

11. If the agency made a formal decision, on what date did they give the decision to you?

12. What is the date of the agency decision?

We must receive this application within 40 working days of the date the agency made a formal decision or we may not be able to help you. If we cannot help you, we will let you know what your other options are.

Important information: Please attach a copy of the agency's decision

Section 1: Details**13. How did you receive the decision?**

- By email
 By post, including registered post
 Other

If other, please provide details:

14. Are there other documents that you consider relevant to this application?

If so please identify the documents below and attach them to this application

15. Have you sought an internal review by the agency or a review by the NSW Civil and Administrative Tribunal (NCAT)? If yes, please provide details (Maximum 5,000 Characters):

Note: If you have sought a review by NCAT, the IPC cannot review the same decision. You must seek an internal review before coming to us unless you are the person who asked for the information.

Note: If you have printed this form and are completing it by hand, please write your extended response on a separate A4 page and attach to this form

16. This section of the form will be removed and a copy provided to the Agency as part of the IPC's notification of an application for external review. This is to assist the Agency in responding to the IPC's external review.

Please provide your reasons for requesting an external review (Maximum 10,000 Characters):

Note: If you have printed this form and are completing it by hand, please write your extended response on a separate A4 page and attach to this form

Section 1: Details

17. It will assist the Information Commissioner to have your consent for this section of your application to be provided to the agency so that the Commissioner can collect all of the information required to deal with your application. By submitting this form, you are consenting that the IPC will:

- use this form to process your request for external review
- will give the details of your application, a copy of this form and your related information to the agency named above. This will include any additional information you may provide, including attachments to this form.

In any review process, all parties are given the opportunity to provide information. If you do not consent, the IPC's consideration of the issues and further action may be limited.

If you do not consent to the above please tick here

18. Since 2017, the IPC has conducted client satisfaction surveys to find out how we can further improve our services. We also report on the results of this survey.

After your external review has concluded, you may be randomly selected to be part of this voluntary survey. The survey will be sent to participants via an email from the IPC. Your personal details, and contact information provided in this form will be used to contact you for the IPC client satisfaction survey. Should you choose to complete the survey, your comments will be treated confidentially.

Should you prefer NOT to take part in the survey, you may be assured that your decision will in no way affect the services you receive from the IPC. You can choose to opt-out of participating in the survey by advising us via return email.

Please write your name below:

Date:

Section 2: Footnotes

It is not a requirement under the GIPA Act that you complete an application form when making an application for external review. This form is designed to assist you in providing the key information we might need to deal with your application for external review.

Please refer to our fact sheet *External Review by the Information Commissioner*, available on our [Information Access Resources for Citizens](#) webpage

Section 3: Other information

If you are deaf or you have a hearing or speech impairment, you can call us through the National Relay Service on 133 677, or if you would like the assistance of an interpreter please call us through the Translating and Interpreting Service on 131 450.

To assist us with processing your application the IPC requires that you include a copy of your original access application to the agency, as well as a copy of the agency's notice of decision on your application, with this application for external review.

Please select 'upload' to add supporting documents. This may include a copy of correspondence between you and the agency, your access application, the agency's decision, your internal review application, and the agency's decision on your internal review request. We prefer electronic copies of all documents wherever possible.

Section 4: Signature

I understand that this form will be used by the IPC to process my request for review or complaint. I understand that details of my application, a copy of this form and related information I send the IPC may be given to the agency named at Q1 above.

Your signature:

Date:

How to submit this form

You can print and send this form and any attachments to us by one of the following methods:

By email: ipcinfo@ipc.nsw.gov.au

By fax: (02) 8114 3756

By mail: GPO Box 7011, Sydney, NSW 2001

In person: Level 15, McKell Building, 2-24 Rawson Place, Haymarket NSW 2000

Please keep a copy for your records.

For more information

For more information about the GIPA Act visit our website: www.ipc.nsw.gov.au