



FREEDOM OF INFORMATION COVERSHEET

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI reference: 24-113

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Not applicable
4. Documents	Published
5. Additional information identified	Not applicable
6. Fees	Not applicable
7. Processing time (in working days)	30 days
8. Decision made by Ombudsman	Not applicable
9. Additional information identified by Ombudsman	Not applicable
10. Decision made by ACAT	Not applicable
11. Additional information identified by ACAT	Not applicable

Good morning TCCS and CMTEDD foi team,

My name is [REDACTED], I am requesting the following information under the **Freedom of Information Act 2016** and or **Privacy Act 1988**.

For the purpose of transparency, this request is being sent to both directorates, **TCCS** and **CMTEDD**, both parties have been included as recipients in the forwarding of this email.

City Services **CS** and Access Canberra **AC** are statutory office holders and perform the function of Licencing and Compliance, Regulation and Enforcement for various Acts, including but not limited to Public Unused land Act 2013 and Road Transport General Act 1999.. etc...

1. What interface is available to the public for submitting a complaint in contravention of legislation?

TCCS

a) Phone call? Yes/No/Add further comments including the allocated phone number(s)

b) Email? Yes/No/Add further comments including the email address(s)

c) Online portal? Yes/No/ Add further information including resource name or link

2. What interface is available to the public for submitting a complaint in contravention of legislation?

CMTEDD

a) Phone call? Yes/No/Add further comments including the allocated phone number(s)

b) Email? Yes/No/Add further comments including the email address(s)

c) Online portal? Yes/No/ Add further information including resource name or link

3. The total number of Licence Plate Recognition **LPR** vehicles currently available for enforcement activities?

a) **TCCS**

b) **CMTEDD**

4. Do LPR designated vehicles operate on a roster, does this roster contain a set route and if so when a vehicle detracts from its normal course, is this detraction from normal duty recorded or logged by the operator of the vehicle. Please include the names of any existing internal and or publicly available policies or guidelines.

a) **TCCS**

b) **CMTEDD**

5. Are there currently any Service Level Agreements **SLA's** for the complaints that are received to each directorate from the public. Please include the names of any existing internal and or publicly available policies or guidelines.

a) **TCCS**

b) **CMTEDD**

6. Please advise if any current policies or guidelines exist that maintain or audit security and integrity around the complaints and enforcement system, ie from bad actors or from a conflict of interest, an employee that works within these directorates and has access to resources and employees that the general public does not.

a) **TCCS**

b) **CMTEDD**

7. Please provide the public appointee's for Executive Branch Manager **EBM**, for Licencing and compliance, Regulation and Enforcement and Investigations

a) **TCCS**

b) **CMTEDD**

8. What policies and or guidelines exist for the public to report matters of serious wrong doing by active employees of the ACT Government, in particular those whom have knowledge, expertise and or influence over the above mentioned statutory functions.

[REDACTED]

[REDACTED]

[REDACTED]



Dear [REDACTED]

Freedom of Information Request - Reference 24-113

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) on 5 August 2024. It is my understanding that you are seeking access to the following government information under the *Freedom of Information Act 2016* (FOI Act):

*“City Services **CS** and Access Canberra **AC** are statutory office holders and perform the function of Licencing and Compliance, Regulation and Enforcement for various Acts, including but not limited to Public Unused land Act 2013 and Road Transport General Act 1999... etc...”*

1. What interface is available to the public for submitting a complaint in contravention of legislation? **TCCS**

a) Phone call? Yes/No/Add further comments including the allocated phone number(s)

b) Email? Yes/No/Add further comments including the email address(s)

c) Online portal? Yes/No/ Add further information including resource name or link

2. What interface is available to the public for submitting a complaint in contravention of legislation? **CMTEDD**

a) Phone call? Yes/No/Add further comments including the allocated phone number(s)

b) Email? Yes/No/Add further comments including the email address(s)

c) Online portal? Yes/No/ Add further information including resource name or link

3. The total number of Licence Plate Recognition **LPR** vehicles currently available for enforcement activities?

a) **TCCS**

b) **CMTEDD**

4. Do **LPR** designated vehicles operate on a roster, does this roster contain a set route and if so when a vehicle detracts from its normal course, is this detraction from normal duty recorded or logged by the operator of the vehicle. Please include the names of any existing internal and or publicly available policies or guidelines.

a) **TCCS**

b) **CMTEDD**

5. Are there currently any Service Level Agreements **SLA's** for the complaints that are received to each directorate from the public. Please include the names of any existing internal and or publicly available policies or guidelines.

a) **TCCS**

b) **CMTEDD**

6. Please advise if any current policies or guidelines exist that maintain or audit security and integrity around the complaints and enforcement system, ie from bad actors or from a conflict of interest, an employee that works within these directorates and has access to resources and employees that the general public does not.

a) **TCCS**

b) **CMTEDD**

7. Please provide the public appointee's for Executive Branch Manager **EBM**, for Licencing and compliance, Regulation and Enforcement and Investigations

a) **TCCS**

b) **CMTEDD**

8. What policies and or guidelines exist for the public to report matters of serious wrong doing by active employees of the ACT Government, in particular those whom have knowledge, expertise and or influence over the above mentioned statutory functions.”.

Timeframes

In accordance with section 40 of the FOI Act, TCCS is required to decide on your application by 16 September 2024. I note that your application was also made to the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) who will provide you with a separate notice of decision.

Authority

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the FOI Act.

Decision on access

In accordance with the FOI Act, a search for the information that you are seeking has been completed and compiled into the table at Attachment A consistent with your application.

In reviewing the responses compiled, I have identified that the majority of the information is currently available to the public. In accordance with section 43 of the FOI Act, I am able to refuse to deal with your application where the information is already available to you (section 45). I have, however, decided to compile for ease of reference the information into the table at Attachment A.

Upon reviewing the information identified and applying the public interest test under section 17 of the FOI Act, I have decided to provide you with full access to the information. The reasons for my decision are detailed below in the statement of reasons.

Statement of Reasons

In reaching my access decision, I have taken the following into account:

- The FOI Act;
- The *Human Rights Act 2016*.

In making my decision on disclosing the relevant government information, I must identify all relevant factors in schedule 1, which contains a list of information types that are deemed to be contrary to the public interest. Where schedule 1 does not apply to some or all of the information within relevant records, I must consider the public interest test set out in section 17 of the FOI Act, whereby factors favouring disclosure (schedule 2, section 1) and factors favouring non-disclosure (schedule 2, section) are weighed to determine on balance, where the public interest lies. In making my decision, I also confirm that I have not considered any of the factors listed in section 17(2) of the FOI Act which contains a list of factors which must not be taken into consideration.

Schedule 1:

- No relevant factors identified.

Public Interest test:**Factors favouring disclosure in the public interest (Schedule 2.1)**

- Schedule 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability;
- Schedule 2.1(a)(ii) - contribute to positive and informed debate on important issues or matters of public interest;
- Schedule 2.1(a)(iii) - inform the community of the government's operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community;
- Schedule 2.1(viii) - reveal the reason for a government decision and any background or contextual information that informed the decision.

Factors favouring non-disclosure (Schedule 2.2)

- Not applicable.

The ACT Government encourages and supports feedback from members of the public. In reviewing the information within scope of your application, I have identified information that promotes and informs members of the public with the processes of making a complaint. I further consider that public servants have a duty to assist the departmental minister and to give effect to government policies and priorities. The disclosure of this information is likely to inform the community of policies relating to how complaints are handled, including access, conflicts of interest and security of personal information.

I have also considered that disclosure provides contextual information around a government decision, government operations, and promotes open discussion of public affairs and enhances government's accountability generally. Further, I also acknowledge that the pro-disclosure bias requires the public interest test to be approached on the basis that there are not simply empty scales in equilibrium, waiting for arguments to be put on each side. Rather, the scales are loaded in favour of disclosure.

In my review of the remaining information, I did not identify any factors favouring non-disclosure. In this instance, I find that disclosure is, on balance, in the public interest.

A copy of the relevant information is enclosed at [Attachment A](#).

Charges

In accordance with [Freedom of Information \(Fees\) Determination 2018](#), a fee of \$0.35 per page of information disclosed, except for the first 50 pages, may be applied to an access application. No fee is applicable as the total number of pages disclosed to you falls within the fee-free threshold.

Online publishing – disclosure log

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents will be published in the TCCS disclosure log between 3 – 10 business days from the date of this decision. Your personal contact details will not be published. You may view the TCCS' disclosure log [here](#).

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek an Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in TCCS' disclosure log, or a longer period allowed by the Ombudsman. If you wish to request a review of my decision, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82 on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from ACAT at:

ACT Civil and Administrative Tribunal
GPO Box 370
CANBERRA CITY ACT 2601
www.acat.act.gov.au

If you have any queries concerning the directorate's processing of your request, or would like further information, please contact the TCCS FOI team on (02) 6207 2987 or email to tccs.foi@act.gov.au.

Yours sincerely



Lisa Johnson
Information Officer
13 September 2024

Request	Information
<p>What interface is available to the public for submitting a complaint in contravention of legislation?</p>	<p>For general complaints regarding regulatory and other matters relating to Transport Canberra and City Services, refer to the information on feedback and complaints at the at https://www.cityservices.act.gov.au/about-us/complaints.</p> <p>The Feedback and Complaints page will provide you with information on how to make a complaint online, by phone or in writing.</p> <p>Should your complaint be relating to a Domestic Animal Services (DAS) matter, in addition to contacting the Access Canberra Contact Centre on 132281, you can make a complaint directly to DAS on 6207 2959.</p> <p>Should a member of the public wish to submit a complaint regarding contravention of legislation by email, they can do so by emailing: animalcontrol@act.gov.au.</p> <p>The DAS Service Handbook outlines the services provided by DAS, including DAS' accountability and customer commitment and management of any complaints. This information can be located at https://www.cityservices.act.gov.au/pets-and-wildlife/domestic-animals.</p>
<p>The total number of Licence Plate Recognition LPR vehicles currently available for enforcement activities?</p>	<p>Not applicable – TCCS does not have Licence Plate Recognition vehicles in its fleet currently.</p>
<p>Do LPR designated vehicles operate on a roster, does this roster contain a set route and if so when a vehicle detracts from its normal course, is this detraction from normal duty recorded or logged by the operator of the vehicle. Please include the names of any existing internal and or publicly available policies or guidelines.</p>	<p>Not applicable – TCCS does not have Licence Plate Recognition vehicles in its fleet currently.</p>

<p>Are there currently any Service Level Agreements SLAs for the complaints that are received to each directorate from the public. Please include the names of any existing internal and or publicly available policies or guidelines.</p>	<p>There are no service level agreements for complaints received by TCCS.</p>
<p>Please advise if any current policies or guidelines exist that maintain or audit security and integrity around the complaints and enforcement system, i.e. from bad actors or from a conflict of interest, an employee that works within these directorates and has access to resources and employees that the general public does not.</p>	<p>All ACT Government employees are accountable to the legislative provisions standards set out in the ACT Public Sector Management Act 1994 and Public Sector Management Standards 2016 and the Public Sector Management (ACT Public Sector) Code of Conduct 2022.</p> <p>A copy of the TCCS Code of Conduct is published here: https://www.cityservices.act.gov.au/_data/assets/pdf_file/0006/2534127/TCCS-Code-of-Conduct-Refresh-March-2022-access.pdf</p> <p>The ACT Government has established the ACTPS Integrity Framework, which includes the ACTPS Integrity Governance Policy and the Conflict of Interest Policy.</p> <p>ACT government employees are also accountable to the enterprise agreement relevant to their position, which are published here: https://www.cmtedd.act.gov.au/employment-framework/for-employees/agreements</p> <p>The ACT Government has established the Cyber Security Policy (2024). This is the official framework for ACT Government records, information or data being stored or processed in electronic form.</p> <p>The Cyber Security Policy supports the ACT Protective Security Framework, which was updated in 2019, reflecting the threats to ACT Government, including Cyber risks.</p> <p>ACT Cyber Security Policy and the ACT Acceptable Use Policy, guide ACTPS in the security and integrity of ICT systems and resources.</p>

<p>Please provide the public appointee's for Executive Branch Manager EBM, for Licencing and compliance, Regulation and Enforcement and Investigations</p>	<p>TCCS organisational information can be found here https://www.cityservices.act.gov.au/about-us.</p>
<p>What policies and or guidelines exist for the public to report matters of serious wrongdoing by active employees of the ACT Government, in particular those whom have knowledge, expertise and or influence over the above mentioned statutory functions.</p>	<p>The Public Interest Disclosure Act 2012 supports the public to make disclosures regarding serious wrongdoing in the public sector.</p> <p>The TCCS Public Interest Disclosure officers' contact details are available from the TCCS Public Interest Disclosure page at https://www.cityservices.act.gov.au/about-us/public-interest-disclosure.</p> <p>Guidelines on Public Interest Disclosure are available at https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0007/1439305/PID-Guidelines-2019.pdf.</p> <p>The ACT Integrity Commission deals with reports relating to conduct that involves corruption, maladministration or conduct that poses a substantial and specific danger to public health or safety, or the environment under the Integrity Commission Act 2018. The Commission also oversees the application of the Public Interest Disclosure Act 2012, ensuring that whistleblowers are protected, and their information is investigated. Further information on the role of the Commission, including how to make a complaint, is available online here: https://www.integrity.act.gov.au/home.</p> <p>For information on fraud and corruption see the TCCS Fraud and Corruption Prevention Plan 2024-2026 at https://www.cityservices.act.gov.au/_data/assets/pdf_file/0011/1660376/TCCS-Fraud-and-Corruption-Prevention-Plan-2024-2026-WEB.pdf</p>