Application for Access to Documents

FOR OFFICE USE ONLY

ID Sighted by: he# _____

Requesting documents from:

☐ Armadale Health Service ☐ Kalamunda Hospital
☐ Community Mental Health ☐ Swan Districts

Requesting documents under:

☐ Freedom of Information Act ☐ Mental Health Act

Please see the information overleaf to understand your rights under each Act. Under EMHS policy and at the discretion of the FOI Coordinator some documents can be released outiside of these Acts as an administrative release. Please tick if you do not wish this to occur. ☐

Details of applicant:

Surname: _____ Given Names: _____

Date of birth: _____ Phone: _____

Address: _____ Postcode: _____

Email: _____

Documents will be provided electronically if an email address is provided, otherwise a hard copy will be sent via registered post.

Are you requesting documents about another person?

☐ No ☐ Yes

If you answered YES, you may be required to pay a $30 application fee and provide the appropriate authority.
Please provide the other person's details below.

Surname: _____ Given Names: _____

Date of birth: _____ Phone: _____

Address: _____ Postcode: _____

Your relationship to the other person: _____

Details of application:

Describe clearly the documents that you wish to access including dates of attendance. Please specify actual docuements rather than entire files e.g. Discharge summary, outpatient letter, radiology results

_____

_____

_____

Signature: _____ Date: _____

Email your application form along with a copy of your photo ID to akg.foi@health.wa.gov.au or post to GPO Box X2213, PERTH, WA 6847. Phone 9224 7023.

© State of Western Australia, East Metropolitan Health Service 2024 | M260326001

Freedom of Information Act

What is the Freedom of Information Act?

The Western Australian Freedom of Information Act (1992), gives you the right to apply for access to documents held by State Public Sector agencies. Agencies are required to assist the public with obtaining access to documents at the lowest reasonable cost. Agencies must also ensure that all documents held are accurate, complete, up-to-date and notmisleadmg. Your right to lodge an access application is not affected by any reasons you have for wishing to obtain access.

How are access applications processed?

The agency has a permitted period of 45 days to make a dec1s1on on your access application. You will be advised of the outcome of your application in writing. If access to documents is granted, these are generally provided electronically through a secure file transfer service which is sent to your email.

Are fees/charges involved?

Fees and/or charges are not applicable when an access application is deemed to be a personal application, application for amendment or a review. Non-personal access applications incur a mandatory application fee of $30.00 and must be lodged simultaneously with the non-personal access application.

What are personal and non-personal access applications?

Access applications are deemed 'personal' when the applicant is requesting documents containing their own personal information.
Access applications are deemed 'non-personal' when the applicant is requesting documents containing personal information about an individual other than themselves.

Can I request a review of the decision?

Yes Applications for internal review must be lodged within 30 days to the agency who issued the written notice of decision Once the agency advises the applicant of the outcome of the internal review, if required the applicant will be advised of the procedure to apply for an external review with the Office of the Information Commissioner.

Mental Health Act

What is the Mental Health Act?

The Western Australian Mental Health Act (2014) provides support and protection of rights for those people who have a mental illness This includes the right for a person to access documents relating to a stay within a mental health service If a person was provided with treatment or care by a mental health service, they are entitled to inspect and/or to be given a copy of any documents relating to their care.

How are access applications processed?

Once a written application is received, and the identity of the applicant is confirmed, the agency is to provide copies of the requested documents as soon as practicable after the request is received. Documents are generally provided electronically through a secure file transfer service which is sent to your email.

Are fees/charges involved?

No fees or charges are not applicable for requests under the Mental Health Act.

Are there any restrictions on access?

Restrictions on access to documents under the Mental Health Act may apply if a psychiatrist reasonably believes that disclosure of the information poses a significant risk to the health and safety to any person. In addition to this, confidential matter and third-party information may be exempt from disclosure and is generally redacted from the documents prior to copies being provisioned.

Can I request a review of the decision?

No, under the MHA there are no provisions to request a review of the decision. In this case, a request under the Freedom of Information Act may be made, which includes the right to review the agency's decision.

If I attended a mental health service, do I have to request under the Mental Health Act?

No. Persons who attended a mental health service can request the information either under the Mental Health Act or the Freedom of Information Act.

© State of Western Australia, East Metropolitan Health Service 2024 | M260326001