

From: [TYDD,Liz](#)
To: [KIND,Carly](#); [LINACRE,Alice](#)
Subject: FW: [For review] RAD Business Case [Draft] [SEC=PROTECTED, CAVEAT=SH:CABINET]
Date: Friday, 27 February 2026 4:13:43 PM

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For visibility in case its determined that an OOS decision is required – the more time you have the better

Kind regards

Liz

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From: TYDD,Liz
Sent: Friday, 27 February 2026 4:12 PM
To: GHALI,Sarah Out of scope
Cc: Out of scope PARK,Rowena Out of scope
Out of scope
Subject: RE: [For review] RAD Business Case [Draft] [SEC=PROTECTED, CAVEAT=SH:CABINET]

Dear Sarah and Out of scope

Excellent work thank you I've reviewed and appreciate the clarity and the injection of expert advice. Do you think this should be dealt with as an out of session decision by GB?

Also, there are some stats missing if you want to insert them before you transmit for decision and note the change in reporting lines for Rep complaints now with IRD Jic this impacts but having read the BC and role evaluation this does not appear to be a factor – but confirmation appreciated.

Ive also noted.

- *Detailed advice on extension considerations can be provided by P&C separate to this business case.*

As this a is a separate decision should that be taken after the decision on this BC?

Kind regards

Liz

From: GHALI, Sarah [Out of scope]
Sent: Thursday, 26 February 2026 6:04 PM
To: TYDD, Liz [Out of scope]
Cc: [Out of scope]; PARK, Rowena [Out of scope]
 [Out of scope]
Subject: [For review] RAD Business Case [Draft] [SEC=PROTECTED, CAVEAT=SH:CABINET]

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Dear Liz

Thank you for your patience and early feedback, which has now been incorporated into the draft RAD business case. The package for your consideration is below:

RAD Leadership Business Case – Snapshot	D2026/004543	Table overview format setting out the 3 issues for consideration
RAD Leadership Business Case (draft)	D2026/003692	Longer form Business Case to further support consideration and discussion. Note final data to be provided by RAD.
Attachment A – RAD Org Chart	D2026/004562	For reference
Attachment B – GM, Investigations & Enforcement (RAD) role summary	D2026/003691	For reference
Attachment C – Role evaluation <i>supported by</i> Attachment D – Role analysis	D2026/004370 D2026/004369	Please note that the analysis tool supports the covering evaluation per APSC SES guidance workbook
Memo – RAD Leadership Role [People and Culture Advice]	D2026/004568	Supporting Part C, RAD Leadership Business Case - Snapshot

Ro and I would be happy to discuss the above documents further and strategies for

continuing to progress this project in a timely way.

Kind regards

Sarah

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OAIC GOVERNANCE BOARD MEETING– Out of session endorsement sought 9 March 2026 — RAD Leadership Business Case

Responsible Executive Member:	Sarah Ghali, GM – Enabling Services
Prepared by:	Out of scope Change Manager
Cleared by:	Sarah Ghali, GM – Enabling Services

The Regulatory Action Division (RAD) currently operates with a temporary, non-ongoing SES Band 1 (General Manager – Regulatory Action) to support Executive General Manager (EGM) – Regulatory Action. This position was established on a temporary 12-month basis which will conclude on 29 May 2026. This role has been identified as critical to effective operations of RAD.

A business case has been prepared to consider the role and broader leadership needs of RAD (Attachment E).

Purpose

The purpose(s) of this paper are to:

- Consider the ongoing need for an SES Band 1 leadership position in the Regulatory Action Division
- Consider SES cohort limitations and funding impacts of this position to inform recruitment considerations
- Consider options to fill the position

A verbal update can be provided in relation to the concurrent People and Culture implications.

Recommendation(s)

It is recommended that the Governance Board

1. **Notes** that the OAIC's approved SES cohort does not include capacity for this position beyond 2025-26 and is dependent on the outcome of NPP mechanisms.
2. **Endorses** an SES Band 1 position in RAD and support the continuation of the position through non-ongoing funding mechanisms until such time as a permanent SES cohort allocation becomes available.
3. **Notes** that it is the recommendation of People and Culture, supported by EGM RAD, that this position be externally advertised as part of a merit-based process, if the continuation of the role is endorsed by Governance Board.
4. If the position is endorsed at 2, the Board **approves** the recruitment process to commence immediately for a gazetted (merit-based) selection process for a general SES Band 1 position, with any appointments subject to finalisation of the 2026/27 budget in April/May 2026.

Background

The General Manager - Investigations & Enforcement (currently titled General Manager – Regulatory Action Division) provides critical strategic leadership over the OAIC's proactive investigation, litigation, and enforcement functions. This role is the principal point of accountability for translating Commissioner regulatory priorities into proactive operational enforcement outcomes and for ensuring that the OAIC's proactive and proportionate regulatory posture, as articulated in the agency Statement of Regulatory Approach and Four Pillars, is given effect through consistent, timely, and impactful regulatory action.

A role analysis and evaluation were undertaken against SES work level standards using the APSC SES Evaluation workbook methodology; the outcome of this analysis was a score of 40, within the 34 – 44 range for an SES Band 1 designation. See Attachment C – Role Evaluation supported by Attachment D – Role Analysis.

Consideration was given to establishing the position as a Principal Director, rather than a SES Band 1 position. The scope and complexity of responsibilities associated with the GM – Investigations & Enforcement role, including cross-organisational coordination, strategic decision-making authority, and direct engagement with other senior leader stakeholders across public and private sector entities, exceed the authority typically vested in a Principal Director.

The position requires serving as an advisor to Statutory Office holders and the exercise of independent judgment on matters of significant regulatory impact, functions that necessitate the gravitas, accountability framework, and institutional authority conferred by SES designation. A Principal Director, lacking the equivalent positional authority, would face limitations in effectively directing resources, influencing inter-agency stakeholders, and representing the OAIC at the requisite level in external forums.

For full justification see Business Case, Attachment E.

Key issues

- **Temporary leadership in a critical enforcement function** creates a set of compounding risks that are inconsistent with the strategic weight, complexity, and ongoing nature of the functions the role performs. Key risks include:
 - strategic continuity,
 - workforce capability and development,
 - external credibility and regulatory deterrence, and
 - operational efficiency and decision-making
 - see section 2.2, Business Case ([D2026/003692](#))
- **SES cohort limitation does not include capacity** for this position in a fulltime, ongoing capacity at this time – see section 2.3 Business Case ([D2026/003692](#))
- **Funding considerations** would be a matter for discussion during the 2026/27 management budget process. The inclusion of a previously unbudgeted position would reduce the funds available for other expenditure.

Next steps and proposed timeframes

Following endorsement of the ongoing need for the SES Band 1 position in RAD, the recruitment timeline for this position is estimated between 8 and 14 weeks, depending on turnaround time from APSC for SES recruitment approval.

Once APSC approval is obtained, advertising can commence in early April for a non-going/ongoing SES Band 1 position.

Shortlisting should commence in mid-April, with interviews conducted at the end of April/early May (dependent on APSC panellist availability).

Depending on outcomes of the 2026/27 budget process, the Agency Head may consider offering the role on a non-ongoing or ongoing basis dependant on available SES cohort allocation.

Consultation and coordination

In developing this business case, consultation has been undertaken with key senior leaders and enabling functions across the OAIC to ensure alignment with workforce planning, financial, and governance considerations.

Attachments

Attachment A: RAD Org Chart - [D2026/004562](#)

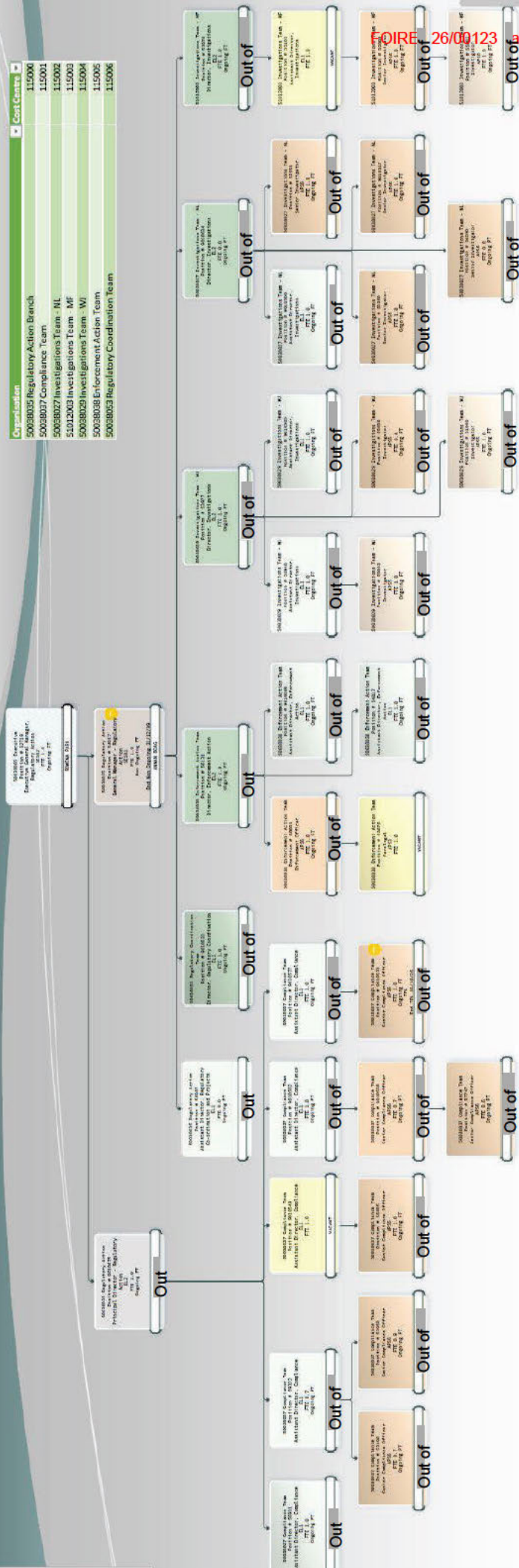
Attachment B: GM, Investigations & Enforcement (RAD) role summary - [D2026/003691](#)

Attachment C: Role evaluation - [D2026/004370](#)

Attachment D: Role analysis - [D2026/004369](#)

Attachment E: RAD Leadership Business Case - [D2026/003692](#)

Component	Cost Center
50038002 Regulatory Action Branch	115000
50038007 Compliance Team	115001
50038027 Investigations Team - NL	115002
5012003 Investigations Team - MF	115003
50038029 Investigations Team - WI	115004
50038008 Enforcement Action Team	115005
50038005 Regulatory Coordination Team	115006



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General Manager, Investigations & Enforcement

Role Summary:

The **General Manager, Investigations & Enforcement** provides leadership to the Investigations and Enforcement Branch (**Branch**) within the Regulatory Action Division (**RAD**) which contains teams conducting investigations and enforcement activities, develops and implements investigation, litigation and enforcement strategies, and ensures the OAIC's proactive regulatory action is consistent, proportionate and effective. Reporting to the Executive General Manager, Regulatory Action (**EGM RAD**), this role translates the agency's and RAD's strategic priorities as they relate to proactive investigations and enforcement into operational plans, manages resources to achieve maximum impact, and builds team capability to deliver quality and timely regulatory outcomes. The position plays an essential role in positioning the OAIC as an effective and trusted regulator by ensuring investigations and enforcement related regulatory activities are targeted to address the most significant privacy and information access risks to the Australian community.

Duties

Key responsibilities of the role include the following:

- Enhancing operational and case prioritisation processes and implementing new ways of working across the Branch and supporting the EGM RAD in enhancing such practices across RAD.
- Increasing the impact of the OAIC's regulatory action activities through targeted investigations and enforcement and associated communication strategies.
- Providing oversight and leadership to the Branch and as part of the leadership of RAD, enhancing approaches to delivery while balancing competing demands on resources and engaging with risk to deliver the best enforcement outcomes for the community and positioning the OAIC for the future.
- Working closely with the EGM RAD, Principal Director Compliance, other OAIC executives and the OAIC's Commissioners to develop, communicate, implement, evaluate and refine the OAIC's regulatory strategy.
- Supervising teams responsible for strategic and proactive investigations and enforcement action to reduce harms to the community caused by information rights violations.

- From time to time, representing the OAIC publicly, under parliamentary or other external scrutiny, or with external stakeholders, and in making complex and contested statutory decisions.
- Ensuring the OAIC's investigation and enforcement activity is targeted and strategic and applied in a way that advances the community's information rights and the OAIC's regulatory priorities.
- Providing strategic input into evaluation of the effectiveness of regulatory policies, operational frameworks and guidelines.
- Effectively overseeing and providing advice to the EGM RAD and Commissioners regarding the expenditure of funds to support investigations and proportionate enforcement action including legal and expert fees and disbursements.
- Developing and overseeing investigation and litigation strategies to deliver impactful, timely and proportionate outcomes that promote and protect privacy and information access rights
- Guiding and directing the Directors within the Branch to develop and nurture a high performing, multidisciplinary, collaborative and innovative culture that is aligned with OAIC's guiding principles.
- Supporting the EGM RAD and Commissioners in maintaining critical stakeholder relationships including across government, in academia, the private sector and the Minister's Office and ensuring staff across the Branch are engaging effectively with stakeholders, positioning the OAIC as a trusted regulator; and
- Supporting the EGM RAD to establish and drive strategic agendas that align with and supports the Commissioners' priorities and agency purpose.
- Providing timely reporting and visibility of the progression of investigations and enforcement actions being undertaken by the Branch.
- Other duties as required.

You are encouraged to familiarise yourself with the [Senior Executive Service Work Level Standards](#) for your relevant classification, including the [Secretaries Charter of Leadership Behaviours](#) and [Senior Executive Service Performance Leadership Framework](#).

The above duties are to be performed in accordance with the APS Code of Conduct and APS Values and OAIC policies, including Workplace Diversity and Work Health

and Safety. Under section 25 of the Public Service Act 1999 the OAIC may re-assign the duties of an employee from time to time.

Role Evaluation

Job title: General Manager – Investigations and Enforcement (Formerly GM – Regulatory Action)		Evaluation date: 5/2 - 23/2/2026
Agency: Office of the Australian Information Commissioner		Evaluated by: Out of scope, Change Manager in consultation with Out of scope Director – People and Culture
<p><i>Primary purpose of the job:</i></p> <p>The General Manager, Investigations & Enforcement provides leadership to the Investigations and Enforcement Branch (Branch) within the Regulatory Action Division (RAD) which contains teams conducting investigations and enforcement activities, develops and implements investigation, litigation and enforcement strategies, and ensures the OAIC’s proactive regulatory action as it relates to investigations and enforcement is consistent, proportionate and effective.</p>		
<p><i>Sources of information used:</i></p> <p>Role description Organisational chart OAIC’s Statement of Intent (2024) OAIC’s Corporate Plan 2025-26 (Key Activities 1, 2 and 4) Line Manager Interview (EGM – Regulatory Action [SES Band 2]) Referenced against WLS EL2 using APS Role Evaluation Tool</p>		
Factor	Score	Rationale / Evidence
Leadership: Knowledge	7	The role requires deep expertise across investigation, litigation, and enforcement within a complex regulatory environment, demanding advanced professional knowledge spanning privacy law, information access rights, and regulatory strategy, supplemented by substantial leadership experience managing multidisciplinary teams. The GM must demonstrate a strong understanding of the environmental factors affecting the OAIC, including the interplay between privacy regulation, government policy, parliamentary scrutiny, and community expectations and serves as principal source of authoritative advice to the EGM and Commissioners on investigation and enforcement strategy, expenditure, and proportionate regulatory action in this regard. A score of 7 reflects that while the role carries significant expert authority within its domain, ultimate authoritative advice to the Minister rests with the Commissioners and EGM – RAD.
Leadership: Accountability		The scale and impact of this role in operating through the development of effective and time critical investigation and

Job title: General Manager – Investigations and Enforcement (Formerly GM – Regulatory Action)	Evaluation date: 5/2 - 23/2/2026	
	7	enforcement strategies, processes and policy and delivering outcomes through internal teams and external partners is broad and critical to provide advice to the EGM and Commissioners on proactive work. The role’s work directly shapes the OAIC’s regulatory enforcement outcomes affecting the Australian community’s privacy rights at a national level, with enforcement actions and litigation strategies having government-wide implications for how organisations across the public and private sector comply with privacy obligations. The score of 7 reflects the high impact of delivery and the demonstrable national, community-wide and high profile scale of outcomes expected to be delivered by this role [consider high profile enforcement matters such as Australian Clinical Labs, Bunnings/Kmart, Medibank/Optus], balanced with the support role to the EGM and Commissioners.
Diversity/Span	6	The role manages the Investigations and Enforcement branch, encompassing a diverse range of complex regulatory activities including strategic and proactive investigations, litigation and enforcement action, all carrying significant legal, reputational, and regulatory risk at a whole of agency level. The branch requires a multidisciplinary workforce with highly varied and specialised skill sets spanning regulatory, investigative and compliance expertise. The score of 6 reflects that while the functional complexity and risk profile are high, the role’s span is constrained by staff numbers and expenditure under \$10m/annually, placing the role at a solid mid-range on the diversity/span of control scale rather at the higher end where significantly larger workforces and budgets would typically be expected.
Stakeholder Management	7	The role leads and oversees engagement across a complex stakeholder landscape spanning government, academic, the private sector, international counterparts and on occasion, the Minister’s Office, requiring the anticipation of stakeholder needs and the provision of persuasive advice to resolve divergent views on sensitive and high-stakes enforcement matters. Beyond direct engagement, the role actively develops productive relationships and influences outcomes by leading and motivating others across the branch while supporting the EGM RAD and Commissioners in maintaining critical relationships that position the OAIC as a trusted regulator. This breadth of engagement and the requirement to navigate conflicting priorities across a while range of external interests supports a score of 7.
Job context and environment	6	The role operates within a complex and rapidly evolving environment shaped by the OAIC’s 2025-26 Corporate Plan and the OAIC’s published regulatory priorities, including responding to emerging

Job title: General Manager – Investigations and Enforcement (Formerly GM – Regulatory Action)		Evaluation date: 5/2 - 23/2/2026
		technology and AI risks, strengthening privacy protections and information rights, and contributing to privacy and FOI law reform, all of which requires continuous monitoring and adaptation of investigation and enforcement approaches. The OAIC’s risk-based, proactive regulatory approach means the General Manager must regulatory revise established methodologies and devise new approaches to novel situations, particularly as the agency navigates new and untested areas of regulation (e.g. DigitalID and AI). Enforcement decisions carry enduring effects that extend well beyond the immediate work environment, shaping sectoral and market practices and influence community expectations of privacy and information rights protection at a national level. The role works with the EGM – RAD to translate strategic priorities into operational enforcement outcomes, consistent with the OAIC’s statement of regulatory approach and its commitment to consistent, transparent and proportionate regulatory action.
Judgement and Independence	7	The role exercises independence in determining how to achieve enforcement outcomes, requires analytical, interpretive and innovative thinking to adapt established regulatory approaches to novel and complex situations, particularly in emerging areas such as AI, digital identity and cross-jurisdictional privacy matters where precedent is limited. The General Manager develops investigation and litigation strategies that set precedents for the agency, making consequential decisions about the allocation of resources including legal and expert fees, and committing the agency to medium to long term resource obligations through complex, multi-year litigation.
Total score: 40		Band: SES Band 1
Approximate time taken: 30hrs		

Role Analysis Tool – RAD Leadership Review

Assess the role against the leadership/knowledge factor

This is the **first** of two leadership evaluation factors. This factor measures the depth and scope of knowledge required by roles. This knowledge includes management and environmental knowledge but may also include scientific, professional and/or technical knowledge which has been acquired through both formal learning and work experience. At the higher levels it has been developed and consolidated through extensive and varied work experience. For professional roles in particular, deep knowledge in a specialised area and experience may determine credibility and authority. If a role requires **mandatory** qualifications these must be complemented by significant and relevant work experience for the role.

Description	Points available	Points allocated
<p>Advanced specialist, professional and/or management knowledge and commensurate understanding of related principles and practices. Roles also require detailed knowledge of statutory, regulatory and policy frameworks relevant to the area of responsibility.</p>	4	
<p>Comprehensive knowledge and skills developed as a result of professional and/or management experience in a generalist, technical, scientific or specialised field. A thorough knowledge and understanding of the relevant social, political, environmental and economic contexts and legislative frameworks relevant to the area of responsibility is also required.</p> <p>Roles at this level are an influential source of advice related to specific area of knowledge or practice that are key inputs to agency decision making processes.</p> <p>Roles must understand a range of external factors, and regularly monitor and respond to a changing operating environment.</p>	6	
<p>Broad and/or deep knowledge and skills, and advanced professional/specialist/public administration expertise acquired through significant professional and/or management experience—in some cases combined with an academic/professional qualification. Specialised skills and/or knowledge are supplemented by substantial, relevant work experience in a complex field.</p> <p>Roles at this level have a strategic understanding of the organisation’s role and require a strong understanding of relevant environmental factors affecting the agency, and the relationships between complex issues.</p> <p>Roles may be the principal and authoritative source of advice related to specific area of knowledge or practice for agency and Minister(s).</p>	8	7
<p>Diverse, cumulative knowledge and/or fundamental understanding of relevant concepts, principles and practices acquired through extensive and advanced professional and/or executive management experience in government or other sectors. Required knowledge encompasses specialist expertise (e.g. financial, technical and legal) essential to activities of government and/or deep knowledge of government decision-making processes (e.g. Cabinet, budget and legislative processes).</p> <p>Roles require a highly developed understanding of contemporary and emerging cross-jurisdictional and international issues relevant to the agency and the APS.</p> <p>Roles are the principal and authoritative source of advice for one or more agency outcomes or issues of very high risk and complexity for agency and Minister(s).</p>	10	

Assess the role against the leadership/accountability factor

This is the **second** Leadership factor. Accountability is the measured effect of a role on agency outcomes. It can be measured by making two judgements in tandem. **Scale** defines the area of the agency or beyond that is most clearly affected by the activities of the role. **Nature of impact** defines the nature of the action taken by the role. It can be direct—through the deployment of resources to achieve an outcome, or it can be indirect—where the role supports others to deliver outcomes.

Scale \ Nature of Impact		Internal to an agency (impacts on one or more parts of an agency)	Agency-wide (impacts on all agency outcomes)	Sector-wide or APS-wide	Government-wide, community-wide, national or international impact
Indirect	Develops processes, policy and/or strategy over a 12 month timeframe for an organisational unit or contributes to an outcome through internal or external partners.	4	5	6	7
	Develops strategic direction over 2-3 year time frames for an organisational unit including integration of activities and working through external or internal partners to achieve policy or program outcomes.	5	6	7	8
Direct	Directly contributes to the development of 3-5 year organisational strategies to achieve agency outcomes, or shapes policy development and program delivery.	6	7	8	9
	Shapes organisational strategies with 5-10 year time frames and is fundamental to the agency's performance in delivering policy or program outcomes.	7	8	9	10

Assess the role against the Diversity/Span factor

This factor measures the resource management responsibilities of a role along two dimensions. On the horizontal scale, the size of a management role is measured quantitatively in terms of the number of staff it is responsible for managing and/or the size of its budget. On the vertical scale, the management role is evaluated in terms of its diversity and complexity, which could be related to functional and/or geographic diversity and/or task complexity.

<div style="text-align: center;">Span of Control</div> <div style="text-align: left;">Diversity</div>	Less than 20 staff and/or expenditure under \$10m pa	20 to 100 staff and/or expenditure between \$10m and \$100m pa	100 to 1,000 staff and/or expenditure between \$100m and \$1b pa	More than 1,000 staff and/or expenditure above \$1b pa
Manages a single or small number of related or complementary activities undertaken by a workforce with similar skills and knowledge.	4	5	6	7
Manages several related or complementary activities undertaken by a workforce with similar skills and knowledge.	5	6	7	8
Manages a function encompassing a range of activities and initiatives or issues with high complexity and risk at whole of agency level delivered by a workforce with related high level and varied skill sets and knowledge.	6	7	8	9
Manages the integration of a number of diverse and complex functions at whole of agency level delivered by a workforce with multiple high level and varied skill sets and knowledge.	7	8	9	10

Assess the role against the Stakeholder Management factor

This factor measures the requirement to communicate with and influence individuals and/or groups both within and outside the agency through technical/content based argument and, at higher levels, through leadership and motivation.

Description	Points available	Points allocated
<p>Roles negotiate with senior staff in the agency, respond well and quickly to other agency staff, and may also present and explain the agency's views to external organisations and other agencies.</p> <p>These roles may also negotiate complex customer service issues, and/or represent the agency in the context of contentious and high profile issues at cross-agency meetings.</p>	4	
<p>Roles are actively involved in influencing and convincing internal and external stakeholders in relation to specific and set objectives and represent the Government and agency authoritatively.</p> <p>These roles actively build relationships with a range of internal and external stakeholders, e.g. within an agency, with other APS agencies, with Ministers' offices, and external parties.</p> <p>Where roles lead an organisational unit they manage interactions and influence processes and outcomes through others.</p>	6	
<p>Roles lead and oversee engagement with internal and external stakeholders and influence outcomes, including through leading and motivating others.</p> <p>Roles proactively develop productive relationships across the broader APS on complex issues.</p> <p>Key features are anticipating the needs of stakeholders and providing persuasive advice to resolve divergent views and conflicting priorities.</p>	8	7
<p>Roles have significant interaction with stakeholders at all levels within and outside the agency.</p> <p>The role is likely to be the principal government representative with authority to negotiate and/or resolve conflict with critical stakeholder leadership.</p> <p>The focus is largely on long-term outcomes and/or particularly sensitive/contentious matters usually with whole-of-government significance.</p>	10	

Assess the role against the Job Context and Environment Factor

This factor measures the degree to which the role’s operating environment is complex and involves multiple factors that impinge on decision-making. This factor also concerns the complexity and scale of issues faced in the role, and of the complexity and scope of plans and outcomes that derive from decisions made in the role.

Description	Points available	Points allocated
Roles operate with reference to organisational objectives that are clear although specific guidelines, strategies or tactics are sometimes ill-defined or incomplete.	4	
<p>Roles are required to understand and monitor a range of external factors affecting the agency, including an understanding of cross-jurisdictional and international issues.</p> <p>Work is characterised by the regular requirement to improve or revise established techniques, methods, systems or policies, or the relating of precedent to new situations to propose solutions that usually have enduring effects and risks that extend beyond the immediate work environment.</p> <p>Professional and policy roles operate within a framework of broad policy parameters and service delivery roles are governed by clear objectives and/or budgets. The focus of the role may be national and/or international, representing the organisation or government.</p>	6	6
<p>Roles identify long-term opportunities, consider emerging trends and the whole-of-government agenda. Roles operate in an environment characterised by the frequent emergence of complex and novel problems and issues that require innovative solutions. The issues faced may involve high risk and be characterised by a lack of available source of advice or guidance.</p> <p>Roles must consider multiple options to resolve complex issues and develop contingency plans to mitigate risks to the achievement of government objectives.</p>	8	
<p>Roles are required to identify and define corporate issues or emerging issues of major community, professional or Government concern. Roles manage strategic change with government-wide, community-wide, whole-of-sector, national or international impact.</p> <p>Existing policy responses may be inadequate in dealing with frequent complex or unusual problems and it is likely that the lack of precedent is a significant feature in the majority of activities pursued, thereby requiring the management of risk and innovation.</p> <p>Issues often involve very high political and reputational risk and complexity.</p>	10	

Assess the Role against the Judgement and Independence Factor

This factor relates to the extent to which a role makes decisions, or issues opinions or rulings on the basis of clear, established guidelines and objectives. This factor also concerns the degree of independence required when making decisions as well as the degree of authority that the role has to make determinations that affect the agency or the outcomes that it oversees.

Description	Points available	Points allocated
<p>Judgement is required to solve problems (including through leadership of a work team) by analysing and discriminating amongst a broadly defined and understood set of alternatives. Problem solving usually involves the application of established techniques, methods, systems or policies, or the relating of precedent to new issues and risks that are usually localised.</p>	4	
<p>Role objectives are broadly defined with established methods, procedures and processes. For many roles there will be a requirement to interpret and apply complex legislative frameworks and standards.</p> <p>Judgement is required to address challenges that are noticeably different from what has been encountered previously.</p> <p>Challenges may present a variety of problems which require analysis and consideration of alternatives before making a decision. Complete information may not always be available, requiring roles to make effective judgements under pressure.</p>	6	
<p>Roles have considerable freedom to determine how to achieve results—by adaptation or development of solutions through analytical, interpretive, evaluative, creative and innovative thinking.</p> <p>Roles work with a large degree of independence within a framework of broadly established policies, priorities and goals.</p> <p>Roles initiate new developments in either policy and program delivery, or professional practice, which establish precedent for the agency and allocate resources in the short term, and make medium to long-term resource commitments where there are defined precedents.</p>	8	7
<p>Roles enjoy significant independence within broad policy, operational and commercial constraints, budgets and practices. Roles may exercise statutory or substantial independence in committing the resources of a significant professional office or organisational unit which accounts for a substantial proportion of agency operations.</p> <p>Roles are often required to develop strategies and policies to supplement and reinforce existing policy direction and frameworks. Roles may be responsible for the integrity of overall legislative and regulatory frameworks. Roles would regularly advise and brief at Ministerial level.</p> <p>Policy experts would give guidance on, and make judgements about, new standards and new areas of policy. Professional roles would challenge, establish or alter standard concepts, theories, objectives or previously formulated requirements.</p>	10	

Business Case

Business Case Title	<i>Regulatory Action Division Leadership Review</i>
Sponsor/Owner	Rowena Park, EGM
Department/Division	Regulatory Action Division
Date Submitted	
Priority	High
Category	Structure/FTE

Business Case Snapshot	
Problem/Opportunity	<p>The Regulatory Action Division currently operates with a temporary, non-ongoing SES Band 1 to support EGM – RAD. This temporary position is scheduled to conclude on 29 May 2026. This role has been identified as critical to effective operations of RAD.</p> <p>SES cohort allocation linked to terminating measures is identified as a limiting factor.</p>
Proposed Solution	<ol style="list-style-type: none"> 1. AIC to endorse a SES Band 1 position in RAD as required for effective operation. 2. Seek approval from APSC for SES recruitment in March 2026. 3. Go to market for an SES Band 1 for a gazetted position, advertised as ‘non-ongoing/ongoing’ for in April/May 2026. Recruiting on this basis allows the process to be commenced prior to the conclusion of the incumbent’s current term so as to avoid this critical position being vacant for any extended period of time and reserves flexibility for the Agency Head to appoint a successful applicant from the recruitment process on an on-going/non-ongoing basis once budget availability and SES cohort allocation are confirmed.
SES Cohort Consideration	<ul style="list-style-type: none"> • The OAIC’s current SES cohort does not include capacity for this position in a fulltime, ongoing capacity at this time.

	<ul style="list-style-type: none"> • The OAIC currently has 7.88FTE in SES cohort allocation; 5.75FTE is ongoing with 2.13FTE linked to terminating measures and therefore considered temporary for the period covered by the respective NPPs. • The position will continue to require non-ongoing SES cohort allocation through New Policy Proposal mechanisms until such time as a permanent cohort allocation can be secured, either by the conversion of NPP funding (and its associated SES cohort allocation) to ongoing funding through the OAIC's general appropriation or by application to the Cabinet.
Costs	<p>\$220,627 - \$250,710 + 25.56% additional oncost per annum [from 12 March 2026].</p> <ul style="list-style-type: none"> • The funding of the position would be a matter for discussion during the 2026/27 management budget process. • The inclusion of a previously unbudgeted position would reduce the funds available for other expenditure.
Risks	<ul style="list-style-type: none"> • Loss of leadership position in RAD will severely limit capacity of division to achieve effective regulatory outcomes including currently in progress high profile litigation and sensitive investigations. • Business continuity may be at risk.
Dependencies	<ul style="list-style-type: none"> • Reliance on APSC approval and appointment of APSC Commissioner's representative to the panel, and their subsequent availability, may cause delays in the recruitment process • Incumbent temporary contract expires on 29 May 2026; an extension or alternatively an EOI process may be considered on the grounds of business continuity while recruitment process is finalised and to facilitate handover, as required. <i>Detailed</i>

	<i>advice on extension considerations can be provided by P&C separate to this business case.</i>
Decision Required	<p>Endorse ongoing need for SES Band 1 position in RAD and proposal to recruit with the following considerations:</p> <ul style="list-style-type: none"> • Budget to be confirmed late March/early April • Advertising to commence in late March/early April • Approval to recruit from APSC and APSC Commissioner representative appointment to commence immediately following endorsement of approach

1. Executive Summary

This business case seeks the Governance Board's endorsement of the ongoing need for a permanent Senior Executive Service (SES) Band 1 position of General Manager - Investigations & Enforcement (currently titled GM – Regulatory Action) within the Regulatory Action Division (RAD). The General Manager - Investigations & Enforcement provides critical strategic leadership over the OAIC's proactive investigation, litigation, and enforcement functions. This role is the principal point of accountability for translating Commissioner regulatory priorities into proactive operational enforcement outcomes and for ensuring that the OAIC's proactive and proportionate regulatory posture, as articulated in the agency Statement of Regulatory Approach and Four Pillars, is given effect through consistent, timely, and impactful regulatory action.

The position is currently established on a temporary, non-ongoing basis; while this arrangement has sustained essential operations, the absence of permanent tenure creates ongoing risks to strategic continuity, workforce capability, stakeholder confidence, and the OAIC's capacity to discharge its statutory functions at the level of effectiveness required by the current and future operating environment.

This business case establishes that the functions of the General Manager - Investigations & Enforcement are enduring - driven by the OAIC's statutory remit across 39 Commonwealth statutes, an escalating and increasingly complex regulatory caseload, and the Commissioners' clear strategic direction towards a more proactive, risk-based, harms-focused enforcement model. The ongoing nature of this need warrants the establishment of a permanent SES Band 1 position consistent with SES work level standards for roles that assume accountability for recognised functions,

provide comprehensive leadership and direction, and exercise significant independent judgement in leading the agency's proactive enforcement work.

Noting the current constraints on the OAIC's permanent SES cohort, this paper recommends that the position continue to be provided for through new policy proposal (NPP) SES cohort allocation while the case for its permanent establishment is advanced. This approach ensures continuity of leadership and operational capability with the Investigations & Enforcement team while the appropriate pathway to permanent establishment is pursued.

2. Current State & Problem Statement

2.1. Organisational Context

In February 2024, the OAIC returned to operating under the three-commissioner model, which necessitated a fundamental reassessment of organisational structure and operating model. In response to recommendations from the Nous Group Strategic Review conducted from October 2023 to February 2024, the OAIC implemented a revised organisational structure in December 2024 that moved away from the previous subject matter silos to better harness cross-functional capability and deliver a more effective harms-focused regulatory approach.

This restructure created two new SES Band 2 Executive General Manager (EGM) positions overseeing the Information Rights Division (IRD) and the Regulatory Action Division (RAD). At the time, no SES Band 1 position was designated for RAD. Following the commencement of the new EGM-RAD, it was determined that a temporary SES Band 1 position was needed within RAD to support the breadth and complexity of the Division's portfolio. A temporary SES Band 1 position was established in May 2025 for a period of 12 months. It was filled on a non-ongoing basis via internal appointment from an SES merit pool.

This position has 5 direct reports with oversight of 23 staff in total. The role oversees 20-25 staff in total and has carriage of all proactive investigation and enforcement related regulatory action with the OAIC. As an indication of spread of the role, at any one time the role oversees approximately 3 complex Federal Court litigations as well as input into organisation wide strategic enforcement action, 13-15 complex commissioner initiated investigations (CII) on novel areas of harm, and 15-20 preliminary inquiries into potential areas for proactive regulatory action. In terms of volume of initial assessments, the role is responsible for overseeing progression of approximately 30 assessments per year, making a recommendation as to proactive regulatory action.

The temporary appointment is set to expire 29 May 2026.

2.2. The Problem: Temporary Leadership in a Critical Enforcement Function

The General Manager – RAD position is currently filled through a temporary appointment arrangement. The structural impermanence of the arrangement creates a set of compounding risks that are inconsistent with the strategic weight, complexity, and ongoing nature of the functions the role performs.

2.2.1. Strategic Continuity Risk

The OAIC's shift in approach to a proactive, intelligence-led, and harms-focused enforcement model requires sustained senior executive leadership to design, embed and mature enforcement strategies over multi-year horizons. Investigations and enforcement matters are inherently long-running, often spanning years from initiation through to determination, litigation, and resolution; temporary leadership arrangements cannot provide the continuity of decision-making, case strategy and stakeholder relationships that these matters demand. Complex and contested statutory decisions including CILs, the exercise of determination powers, and civil penalty proceedings require authoritative leadership with deep institutional knowledge and a long-term perspective on regulatory outcomes.

2.2.2. Workforce capability and development risk

The investigations and enforcement branch contains specialist investigative legal and enforcement personnel whose capability development requires consistent, experienced SES level leadership. Temporary arrangements create uncertainty for staff, undermine succession planning, and limit the GM's ability to invest in long-term the capability uplift that Commissioners have identified as a priority. Building a high performance, specialist team capable of conducting complex investigations and managing contested litigation against well-resourced national and international respondents demands stable leadership committed to sustained investment in people, systems, and professional development.

2.2.3. External Credibility and Regulatory Deterrence Risk

General Manager - Investigations & Enforcement is the OAIC's principal operational representative in enforcement matters and will be required to support the EGM RAD in representing the agency under parliamentary scrutiny, in public facing enforcement communications, and in engagement with coregulators and international counterparts. Temporary arrangements diminish

the OAIC's authority and perceived commitment to its enforcement posture. Regulated entities and their legal representatives are attentive to signals of institutional capacity; a permanent SES appointment to this function signals sustained regulatory intent and capability, reinforcing the deterrent effect of the OAIC's enforcement actions.

2.2.4. Operational Efficiency and Decision-Making Risk

Without permanent SES leadership, escalation pathways for complex investigative and enforcement decisions are less certain. Case prioritisation, resource allocation across concurrent investigations, and the sequencing of enforcement actions in accordance with the OAIC's published regulatory action priorities all require authoritative, ongoing senior executive judgement. Temporary arrangements introduce friction in decision-making, delay case progression, and risk inconsistency in the application of the OAIC's regulatory approach.

2.3. Resourcing Constraint: SES Cohort Limitations & Financial Considerations

SES Cohort

The OAIC's current SES cohort does not include capacity for this position in a fulltime, ongoing capacity at this time.

The OAIC currently has 7.88FTE in approved SES cohort; 5.75FTE is ongoing with 2.13FTE linked to terminating measures and therefore considered temporary for the period covered by the respective measures. These temporary approved positions will cease on 30 June 2026.

The OAIC is currently utilising its SES cohort in the following way:

- 5.8FTE is currently allocated to permanent, ongoing SES employees
- 1FTE is currently allocated to a non-ongoing SES employee occupying the GM-RAD position (non-ongoing concluding May 2026)
- 1.08FTE is currently unallocated

Without displacing other critical executive functions, a permanent SES allocation cannot be redeployed to this role.

The position will require an increase (maintenance of current levels) to the OAIC's approved SES cohort for 2026/27. This can be achieved through the Expenditure Review Committee (ERC) process or the Prime Minister can approve a request to increase an agency's approved SES cohort.

Financial Considerations

The remuneration determination for SES Band 1 positions is:

		From 13/03/2025	From 12/03/2026
Band 1	1.1	213,372	220,627
	1.2	223,070	230,654
	1.3	232,768	240,682
	1.4	242,466	250,710

This would need to add oncosts to be the cost to the OAIC which would be the above table plus 25.56%

The funding of the position would be a matter for discussion during the 2026/27 management budget process. The inclusion of a previously unbudgeted position would reduce the funds available for other expenditure.

3. Proposed Solution

It is proposed that the Governance Board formally recognise the ongoing operational need for an SES Band 1 General Manager – Investigations & Enforcement within the Regulatory Action Division.

It is acknowledged that at this time that the OAIC's approved SES cohort for 2026/27 does not support establishment of the position and an increase (maintenance of current SES cohort levels) must be obtained.

Concurrently to progressing processes to increase the approved SES cohort, it is recommended that a recruitment process is commenced for the SES Band 1 position in RAD in March 2026. The recruitment timeline for this position is estimated between 8 and 14 weeks, depending on turnaround time from APSC for SES recruitment approval. Once APSC approval is obtained, advertising can commence in early April for a non-going/ongoing SES Band 1 position. Shortlisting should commence in mid-April, with interviews conducted at the end of April/early May (dependent on APSC panellist availability). Depending on outcomes of the 2026/27 budget process, the Agency Head may consider offering the role on a non-ongoing or ongoing basis dependant on available SES cohort allocation.

This approach balances the immediate need to maintain operational continuity within the Division with a transparent and merit-based selection process that positions the OAIC to secure the sustained senior leadership this critical function requires.

4. Options Considered

Consideration was given to establishing the position as a Principal Director, rather than a SES Band 1 position. While a Principal Director role could ostensibly fulfill many of the senior leadership and oversight functions required, this approach was determined to be less desirable for several reasons. The scope and complexity of responsibilities associated with the GM – Investigations & Enforcement role, including cross-organisational coordination, strategic decision-making authority, and direct engagement with other senior leader stakeholders across public and private sector entities, exceed the authority typically vested in a Principal Director.

Additionally, the position requires serving as a primary advisor to Statutory Office Holders and to exercise independent judgment on matters of significant regulatory impact, functions that necessitate the gravitas, accountability framework, and institutional authority conferred by SES designation. A Principal Director, lacking the equivalent statutory standing and positional authority, would face limitations in effectively directing resources, influencing inter-agency stakeholders, and representing the OAIC at the requisite level in external forums.

5. Operational Impact

The absence of an SES Band 1 General Manager - Investigations & Enforcement would have a significant and immediate operational impact on the Regulatory Action Division and the OAIC see more broadly. Without dedicated senior executive leadership over the investigation and enforcement functions, the Division would lack the strategic direction and authoritative decision making necessary to manage an increasingly complex workload driven by rapid growth in data breach notifications, rising community expectations around privacy protection, and an expanding regulatory remit.

Critical enforcement activities including CILs, initial assessments, determinations, issuing infringement and compliance notices and civil penalty proceedings, require timely high-level judgment calls that cannot be effectively escalated or distributed across other senior roles without creating bottlenecks for diluting accountability. Since May 2025, the role has been filled through a temporary, non-ongoing appointment, and the operational experience during this period has only reinforced the criticality of the position, demonstrating the essential role it plays in maintaining

enforcement momentum, provided consistent strategic oversight, and ensuring the Division can meet its regulatory obligations at the pace and standard required.

The absence of this position would compromise the OAIC's ability to respond to systemic privacy risks with the urgency and rigour expected of a modern regulator, diminishes credibility and deterrence position in dealings with regulated entities, and places unsustainable pressure on adjacent leadership positions to absorb enforcement oversight responsibilities for which they are neither resourced nor positioned. Ultimately, the operational gap would undermine the OAIC's capacity to fulfil its statutory mandate and meet government and community expectations for robust, timely regulatory action.

6. People, Leadership & Consultation

In developing this business case, consultation has been undertaken with key senior leaders and enabling functions across the OAIC to ensure alignment with workforce planning, financial, and governance considerations.

7. Recommendation

It is recommended that the Governance Board:

1. **Endorse** the ongoing and enduring need for SES Band 1 leadership of the investigations and enforcement function within the regulatory action division as established in this business case.
2. **Note** that the OAIC's approved SES cohort does not include capacity for this position beyond 2025-26 and is dependent on the outcome of NPP mechanisms.
3. **Endorse**, in principle, the continuation of the position on either an ongoing or non-ongoing basis subject to the SES cohort allocation becoming available.
4. **Note** that it is the recommendation of People and Culture, supported by EGM RAD, that this position be externally advertised as part of a merit based process.

Attachments

Attachment A – Divisional Org Chart

Attachment B – GM, Investigations and Enforcement Action Role Description
([D2026/003691](#))

Attachment C – SES Role Evaluation ([D2026/004370](#))

Attachment D – SES Role Analysis ([D2026/004370](#))

Archived: Tuesday, 12 May 2026 2:40:53 PM
From: [KIND,Carly](#)
Sent: Mon, 9 Mar 2026 04:37:19
To: [OAIC - Secretariat](#)
Cc: [OAIC - Executive Assistant](#)
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]
Importance: Normal
Sensitivity: None

OFFICIAL: Sensitive

Many thanks Out of scope

Happy to endorse the recommendations in the paper.

OFFICIAL: Sensitive

From: OAIC - Secretariat <Secretariat@oaic.gov.au>
Sent: Monday, 9 March 2026 2:36 PM
To: TYDD,Liz Out of scope; KIND,Carly Out of scope; LINACRE,Alice Out of scope; MCDONALD,Ashleigh Out of scope; PARK,Rowena Out of scope
Cc: OAIC - Executive Assistant Out of scope; GHALI,Sarah Out of scope; OAIC - Secretariat Out of scope
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Dear Governance Board members

Out of scope has provided the following response to the query raised by Carly:

For confirmation, the proposal is to advertise the role as non-ongoing/ongoing position, allowing flexibility for the appointment type to be determined after the outcome of the budget process and/or at the discretion of Information Commissioner to best support the priorities of the agency at the time of appointment.

Regards
Out of scope

OFFICIAL: Sensitive

From: TYDD,Liz Out of scope
Sent: Monday, 9 March 2026 3:13 PM
To: KIND,Carly Out of scope; OAIC - Secretariat Out of scope; LINACRE,Alice Out of scope; MCDONALD,Ashleigh Out of scope; PARK,Rowena Out of scope

Out of scope

Cc: OAIC - Executive Assistant [Out of scope]; GHALI, Sarah [Out of scope]
Subject: Re: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

That's my understanding Carly - it would be good to have [Out of scope] confirm in writing so our decision has that foundation secured.

Kind regards

Liz

OFFICIAL: Sensitive

From: KIND, Carly [Out of scope]
Sent: Monday, March 9, 2026 3:11:18 PM
To: OAIC - Secretariat [Out of scope]; TYDD, Liz [Out of scope]; LINACRE, Alice [Out of scope]; MCDONALD, Ashleigh [Out of scope]; PARK, Rowena [Out of scope]
Cc: OAIC - Executive Assistant [Out of scope]; GHALI, Sarah [Out of scope]
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Dear all – thanks for the paper. Can I clarify I've understood – the proposal is to advertise the position on either an ongoing or non-ongoing basis, to be determined after the outcome of the budget process (which should conclude before the appointment is made)?

Thanks

Carly

OFFICIAL: Sensitive

From: OAIC - Secretariat [Out of scope]
Sent: Monday, 9 March 2026 12:46 PM
To: TYDD, Liz [Out of scope]; KIND, Carly [Out of scope]; LINACRE, Alice [Out of scope]; MCDONALD, Ashleigh [Out of scope]; PARK, Rowena [Out of scope]
Cc: OAIC - Secretariat [Out of scope]; OAIC - Executive Assistant [Out of scope]; GHALI, Sarah [Out of scope]
Subject: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Dear Governance Board members

Following recent review, RAD is seeking endorsement from the Governance Board as per the attached out-of-session Governance Board paper in relation to the SES Band 1 Leadership position in RAD ([D2026/005255](#)).

Summary

The Regulatory Action Division (RAD) currently operates with a temporary, non-ongoing SES Band 1 (General Manager – Regulatory Action) to support Executive General Manager (EGM) – Regulatory Action. This position was established on a temporary 12-month basis which will conclude on 29 May 2026. This role has been identified as critical to effective operations of RAD.

A business case has been prepared to consider the role and broader leadership needs of RAD (Attachment E - [D2026/003692](#)).

This paper seeks the following:

1. **Noting** that the OAIC's approved SES cohort does not include capacity for this position beyond 2025-26 and is dependent on the outcome of NPP mechanisms.
2. **Endorsement** of an SES Band 1 position in RAD and support the continuation of the position through non-ongoing funding mechanisms until such time as a permanent SES cohort allocation becomes available.
3. **Noting** that it is the recommendation of People and Culture, supported by EGM RAD, that this position be externally advertised as part of a merit-based process, if the continuation of the role is endorsed by Governance Board.
4. If the position is endorsed, the Board **approves** the recruitment process to commence immediately for a gazetted (merit-based) selection process for a general SES Band 1 position, with any appointments subject to finalisation of the 2026/27 budget in April/May 2026.

The Chair has requested that this paper be circulated out-of-session for endorsement and feedback.

If endorsed, People and Culture will progress with recruitment for the position and provide detailed HR advice in relation to specific HR considerations.

It would be very much appreciated if you could provide your endorsement as requested by **cob Wednesday 11 March 2026**.

Regards

Out of
scope



Out of scope


Governance Support Officer/Secretariat
Governance, Risk and Compliance Team, Enabling Services
Branch
Office of the Australian Information Commissioner
Sydney | P Out of scope
E Out of scope

OFFICIAL: Sensitive

Archived: Tuesday, 12 May 2026 2:40:39 PM
From: [PARK,Rowena](#)
Sent: Thu, 12 Mar 2026 03:25:55
To: [TYDD,Liz](#)
Cc: [OAIC - Executive Assistant](#)
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=PROTECTED, CAVEAT=SH:CABINET]
Importance: Normal
Sensitivity: None

PROTECTED//CABINET

Colleagues
I endorse the paper and recommendations (noting I was involved in the preparation of the paper)
Regards

 **Rowena Park** (she/her)
Executive General Manager, Regulatory Action
Office of the Australian Information Commissioner
Brisbane | GPO Box 5288 Sydney NSW 2001
Out of scope
EA Out of scope

The OAIC acknowledges Traditional Custodians of Country across Australia and their continuing connection to land, waters and communities. We pay our respect to First Nations people, cultures and Elders past and present.

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PROTECTED//CABINET

From: TYDD, Liz Out of scope
Sent: Tuesday, 10 March 2026 11:17 AM
To: GHALI, Sarah Out of scope; OAIC - Secretariat Out of scope KIND, Carly
Out of scope; LINACRE, Alice Out of scope; MCDONALD, Ashleigh
Out of scope; PARK, Rowena Out of scope
Cc: OAIC - Executive Assistant Out of scope
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=PROTECTED, CAVEAT=SH:CABINET]

PROTECTED//CABINET

Excellent advice thanks Sarah – we are in no danger of offending the cap/cohort or otherwise described permission!

Kind regards

Liz

PROTECTED//CABINET

From: GHALI, Sarah ^{Out of scope}
Sent: Tuesday, 10 March 2026 12:01 PM
To: OAIC - Secretariat ^{Out of scope}; KIND, Carly ^{Out of scope}; LINACRE, Alice
^{Out of scope}; MCDONALD, Ashleigh ^{Out of scope}; PARK, Rowena
^{Out of scope}; TYDD, Liz ^{Out of scope}
Cc: OAIC - Executive Assistant ^{Out of scope}
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=PROTECTED, CAVEAT=SH:CABINET]

PROTECTED//CABINET

Dear Liz

- I understand that there has been an update in language and the APSC is now referring to what was SES cap as SES cohort. The APSC's SES cohort policy can be found here: [SES cohort | Australian Public Service Commission](#) and this was recently updated to reflect new arrangements for seeking approval for cohort increases.
- An agency's approved SES cohort is the number SES positions that the agency has approved to fill. This number is derived from the agency's historical SES cohort, adjusted over time. The approved SES cohort will vary based on increases from Budget or through a decision of Government (from the Expenditure Review Committee or the Prime Minister) and decreases from expired temporary measures or transfers.
- The OAIC currently has 7.88FTE in SES cohort allocation but the APSC has provided approval to round this up to 8FTE. However, we have conservatively been using the actual number of 7.88FTE as part of our considerations given that the measures that are terminating and are under consideration through the ERC process only provide part FTE and not full positions.
- Out of the 7.88FTE in approved SES cohort; 5.75FTE is ongoing with 2.13FTE linked to measures terminating at the end of 2025-26. We are anticipating having greater clarity on our cohort for 2026-27 in the next few weeks as the ERC processes conclude, noting that SES cohort is being sought through these processes.
- Adherence with SES cohort numbers is monitored by the Cohort Office at APSC, and is reportable by us to them every six months. When we report the information, we are required to advise of any changes to the cohort made by a decision of Government (Budget/MYEFO/NPP). I have attached the workbook from the December reporting for your reference.

Please let me know if would be helpful to discuss

Thanks

Sarah

PROTECTED//CABINET

From: TYDD, Liz ^{Out of scope}
Sent: Tuesday, 10 March 2026 8:51 AM
To: OAIC - Secretariat ^{Out of scope}; KIND, Carly ^{Out of scope}; LINACRE, Alice
^{Out of scope}; MCDONALD, Ashleigh ^{Out of scope}; PARK, Rowena
^{Out of scope}
Cc: OAIC - Executive Assistant ^{Out of scope}; GHALI, Sarah ^{Out of scope}
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Dear Colleagues

The work on this is appreciated and it distils advice very clearly. I too endorse and note in accordance with the recs.

Can I revisit a previous issue that is not dependent on the outcome above. Can we confirm our SES cap (not cohort). How is our cap determined and measured NB we must report on our cap to the APSC and in our annual report. Who determines the cap is it still the APSC and if so can we have that documentation circulated? Carly and I have previously been advised of our cap in discussions with the APSC

Kind regards

Liz

OFFICIAL: Sensitive

From: OAIC - Secretariat ^{Out of scope}
Sent: Monday, 9 March 2026 1:46 PM
To: TYDD, Liz ^{Out of scope}; KIND, Carly ^{Out of scope}; LINACRE, Alice
^{Out of scope}; MCDONALD, Ashleigh ^{Out of scope}; PARK, Rowena
^{Out of scope}
Cc: OAIC - Secretariat ^{Out of scope}; OAIC - Executive Assistant ^{Out of scope}; GHALI, Sarah
^{Out of scope}
Subject: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Dear Governance Board members

Following recent review, RAD is seeking endorsement from the Governance Board as per the attached out-of-session Governance Board paper in relation to the SES Band 1 Leadership position in RAD ([D2026/005255](#)).

Summary

The Regulatory Action Division (RAD) currently operates with a temporary, non-ongoing SES Band 1 (General Manager – Regulatory Action) to support Executive General Manager (EGM) – Regulatory Action. This position was established on a temporary 12-month basis which will conclude on 29 May 2026. This role has been identified as critical to effective operations of RAD.

A business case has been prepared to consider the role and broader leadership needs of RAD (Attachment E - [D2026/003692](#)).

This paper seeks the following:

1. **Noting** that the OAIC's approved SES cohort does not include capacity for this position beyond 2025-26 and is dependent on the outcome of NPP mechanisms.
2. **Endorsement** of an SES Band 1 position in RAD and support the continuation of the position through non-ongoing funding mechanisms until such time as a permanent SES cohort allocation becomes available.
3. **Noting** that it is the recommendation of People and Culture, supported by EGM RAD, that this position be externally advertised as part of a merit-based process, if the continuation of the role is endorsed by Governance Board.
4. If the position is endorsed, the Board **approves** the recruitment process to commence immediately for a gazetted (merit-based) selection process for a general SES Band 1 position, with any appointments subject to finalisation of the 2026/27 budget in April/May 2026.

The Chair has requested that this paper be circulated out-of-session for endorsement and feedback.

If endorsed, People and Culture will progress with recruitment for the position and provide detailed HR advice in relation to specific HR considerations.

It would be very much appreciated if you could provide your endorsement as requested by **cob Wednesday 11 March 2026**.

Regards

Out of
scope



Out of scope

Governance Support Officer/Secretariat
Governance, Risk and Compliance Team, Enabling Services
Branch

Office of the Australian Information Commissioner

Sydney | P Out of scope

E Out of scope

OFFICIAL: Sensitive

Archived: Tuesday, 12 May 2026 2:41:42 PM
From: [GHALI,Sarah](#)
Sent: Thu, 12 Mar 2026 06:21:34
To: [MCDONALD,Ashleigh](#)
Cc: [OAIC - Executive Assistant](#)
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=PROTECTED, CAVEAT=SH:CABINET]
Importance: Normal
Sensitivity: None

PROTECTED//CABINET

Hi Ash

Thanks for your comments and consideration of the paper.

In relation to Recommendation 2, any appointment either non-ongoing or ongoing would be contingent on SES cohort being available from either temporary measures or permanent funding respectively. Financial considerations will be a matter for the management budget process following the outcome of ERC and confirmation of the budget.

Optimal management structures were broadly considered as part of the process as well as the organisational risk carried by the division. We can provide further assessment of the division of management responsibilities between the Band 2 and Band 1 positions when we bring the appointment decision back for consideration.

Happy to discuss

Thanks

Sarah


 **Sarah Ghali** (she/her)
General Manager Enabling Services
Office of the Australian Information Commissioner
M  E 

Please note I work part time and not available on Wednesday or Friday afternoons.

The OAIC acknowledges Traditional Custodians of Country across Australia and their continuing connection to land, waters and communities. We pay our respect to First Nations people, cultures and Elders past and present.

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From: MCDONALD,Ashleigh 
Sent: Wednesday, 11 March 2026 6:36 PM

To: GHALI, Sarah [Out of scope]; OAIC - Secretariat [Out of scope]; KIND, Carly [Out of scope];
[Out of scope] LINACRE, Alice [Out of scope]; PARK, Rowena [Out of scope]; TYDD, Liz
[Out of scope]
Cc: OAIC - Executive Assistant [Out of scope]
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership
Business Case [SEC=PROTECTED, CAVEAT=SH:CABINET]

PROTECTED//CABINET

Good evening all

Thank you for the opportunity to consider this urgent proposal alongside the further advice provided by [Out of scope] and Sarah. I appreciate the RAD business need as outlined in the paper and in principal I support commencing recruitment action on a non-ongoing basis with the opportunity of permanent appointment subject to budget and SES cap availability (recommendation 3), noting recommendation 1 that advises that SES cap and financial resourcing is currently not available to support the position beyond 2025-26 (recommendation 1).

I had a couple of queries / areas for clarification please:

Recommendation 2 : "Until such time as a permanent SES allocation becomes available."

- Would appointment on a temporary basis also be contingent on a temporary SES allocation being available?
- Would permanent appointment also be contingent on permanent funding being available?

The paper could benefit from explanation as to the division of management responsibilities and span of control between the SES1 position and the SES2 RAD position. It might be of assistance to the Board to have the benefit of the EGM RAD position description to be considered alongside the SES1 position when the proposal returns to the Board (recommendation 4), in particular if the Board is to consider alternatives to a permanent appointment at that time due to budget or other pressures.

Happy to discuss

Ash

OAIC **Ashleigh McDonald** (she/her)
 Executive General Manager | Information Rights Division
 Office of the Australian Information Commissioner | Canberra
 GPO Box 5288 Sydney NSW 2001 | www.oaic.gov.au
 P [Out of scope] M [Out of scope] E [Out of scope]
 Executive Assistant: [Out of scope]
 E [Out of scope] P [Out of scope]

PROTECTED//CABINET

From: GHALI, Sarah [Out of scope]
 Sent: Tuesday, 10 March 2026 12:01 PM
 To: OAIC - Secretariat [Out of scope]; KIND, Carly [Out of scope]; LINACRE, Alice

Out of scope ; MCDONALD,Ashleigh Out of scope >; PARK,Rowena
 Out of scope ; TYDD,Liz Out of scope
 Cc: OAIC - Executive Assistant Out of scope

Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=PROTECTED, CAVEAT=SH:CABINET]

PROTECTED//CABINET

Dear Liz

- I understand that there has been an update in language and the APSC is now referring to what was SES cap as SES cohort. The APSC's SES cohort policy can be found here: [SES cohort | Australian Public Service Commission](#) and this was recently updated to reflect new arrangements for seeking approval for cohort increases.
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Please let me know if would be helpful to discuss

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Sarah

PROTECTED//CABINET

From: TYDD,Liz Out of scope
Sent: Tuesday, 10 March 2026 8:51 AM
To: OAIC - Secretariat Out of scope ; KIND,Carly Out of scope ; LINACRE,Alice
 Out of scope ; MCDONALD,Ashleigh Out of scope ; PARK,Rowena
 Out of scope
Cc: OAIC - Executive Assistant Out of scope ; GHALI,Sarah Out of scope

Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Dear Colleagues

The work on this is appreciated and it distils advice very clearly. I too endorse and note in accordance with the recs.

Can I revisit a previous issue that is not dependent on the outcome above. Can we confirm our SES cap (not cohort). How is our cap determined and measured NB we must report on our cap to the APSC and in our annual report. Who determines the cap is it still the APSC and if so can we have that documentation circulated? Carly and I have previously been advised of our cap in discussions with the APSC

Kind regards

Liz

OFFICIAL: Sensitive

From: OAIC - Secretariat ^{Out of scope}
Sent: Monday, 9 March 2026 1:46 PM
To: TYDD, Liz ^{Out of scope}; KIND, Carly ^{Out of scope}; LINACRE, Alice
^{Out of scope}; MCDONALD, Ashleigh ^{Out of scope}; PARK, Rowena
^{Out of scope}
Cc: OAIC - Secretariat ^{Out of scope}; OAIC - Executive Assistant ^{Out of scope}; GHALI, Sarah
^{Out of scope}
Subject: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Dear Governance Board members

Following recent review, RAD is seeking endorsement from the Governance Board as per the attached out-of-session Governance Board paper in relation to the SES Band 1 Leadership position in RAD ([D2026/005255](#)).

Summary

The Regulatory Action Division (RAD) currently operates with a temporary, non-ongoing SES Band 1 (General Manager – Regulatory Action) to support Executive General Manager (EGM) – Regulatory Action. This position was established on a temporary 12-month basis which will conclude on 29 May 2026. This role has been identified as critical to effective operations of RAD.

A business case has been prepared to consider the role and broader leadership needs of RAD (Attachment E - [D2026/003692](#)).

This paper seeks the following:

1. **Noting** that the OAIC's approved SES cohort does not include capacity for this position beyond 2025-26 and is dependent on the outcome of NPP mechanisms.
2. **Endorsement** of an SES Band 1 position in RAD and support the continuation of the position through non-

ongoing funding mechanisms until such time as a permanent SES cohort allocation becomes available.

3. **Noting** that it is the recommendation of People and Culture, supported by EGM RAD, that this position be externally advertised as part of a merit-based process, if the continuation of the role is endorsed by Governance Board.
4. If the position is endorsed, the Board **approves** the recruitment process to commence immediately for a gazetted (merit-based) selection process for a general SES Band 1 position, with any appointments subject to finalisation of the 2026/27 budget in April/May 2026.

The Chair has requested that this paper be circulated out-of-session for endorsement and feedback.

If endorsed, People and Culture will progress with recruitment for the position and provide detailed HR advice in relation to specific HR considerations.

It would be very much appreciated if you could provide your endorsement as requested by **cob Wednesday 11 March 2026**.

Regards

Out of
scope



Out of scope

Governance Support Officer/Secretariat
Governance, Risk and Compliance Team, Enabling Services
Branch
Office of the Australian Information Commissioner
Sydney | P Out of scope
E Out of scope

OFFICIAL: Sensitive

Archived: Tuesday, 12 May 2026 2:41:59 PM
From: [GHALI,Sarah](#)
Sent: Wed, 18 Mar 2026 05:37:40
To: [LINACRE,Alice](#)
Cc: [OAIC - Executive Assistant](#)
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]
Importance: Normal
Sensitivity: None
Attachments: [D2026 003691 RAD SES 1 Role Summary.DOCX](#);

OFFICIAL: Sensitive

Good afternoon

Thanks to all for their comments and consideration of the paper.

As Commissioner Tydd is travelling this afternoon, she has requested that I circulate amendments the position description requested by Commissioner Linacre which have been settled by Commissioners Tydd and Linacre and the EGM RAD.

To close out this paper, we take that members have endorsed item 2 and note the need to consider the impact of the position on the broader leadership structure of RAD as part of any future decision making necessitated by the budget process.

Kind regards

Sarah

OFFICIAL: Sensitive

From: LINACRE,Alice Out of scope
Sent: Monday, 16 March 2026 11:35 AM
To: OAIC - Secretariat Out of scope; TYDD,Liz Out of scope; KIND,Carly Out of scope
Out of scope; MCDONALD,Ashleigh Out of scope; PARK,Rowena
Out of scope
Cc: OAIC - Executive Assistant Out of scope; GHALI,Sarah Out of scope
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

With apologies, Ro has pointed an 'information access' part of the role description, I have asked that the words FOI be added to add clarity. Thanks Ro!

OFFICIAL: Sensitive

From: LINACRE,Alice
Sent: Friday, 13 March 2026 11:42 AM
To: OAIC - Secretariat ^{Out of scope}; TYDD,Liz ^{Out of scope}; KIND,Carly
^{Out of scope}; MCDONALD,Ashleigh ^{Out of scope}; PARK,Rowena
^{Out of scope}
Cc: OAIC - Executive Assistant ^{Out of scope}; GHALI,Sarah ^{Out of scope}
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

Hi ^{Out of scope}

Thanks for this comprehensive paper, it reads well.

First a governance question: Can I check if GB advisors should be consulted on OOS GB papers? If so ^{Out of scope} and Marcel are not included?

Second, I would like FOI to be added to the role description, I could only see references to Privacy work, so would like it to be clear that the role covers both? If that change is made then I am happy to endorse, noting and agreeing with Ash's comments. Just a process question, I understood the paper was circulated for OOS consideration, not comment, will it be re-circulated following comments?

Kind regards

Alice

From: OAIC - Secretariat ^{Out of scope}
Sent: Monday, 9 March 2026 1:46 PM
To: TYDD,Liz ^{Out of scope}; KIND,Carly ^{Out of scope}; LINACRE,Alice
^{Out of scope}; MCDONALD,Ashleigh ^{Out of scope}; PARK,Rowena
^{Out of scope}
Cc: OAIC - Secretariat ^{Out of scope}; OAIC - Executive Assistant ^{Out of scope}; GHALI,Sarah
^{Out of scope}
Subject: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Dear Governance Board members

Following recent review, RAD is seeking endorsement from the Governance Board as per the attached out-of-session Governance Board paper in relation to the SES Band 1 Leadership position in RAD ([D2026/005255](#)).

Summary

The Regulatory Action Division (RAD) currently operates with a temporary, non-ongoing SES Band 1 (General Manager – Regulatory Action) to support Executive General Manager (EGM) – Regulatory Action. This position was established on a temporary 12-month basis which will conclude on 29 May 2026. This role has been identified as critical to effective operations of RAD.

A business case has been prepared to consider the role and broader leadership needs of RAD (Attachment E - [D2026/003692](#)).

This paper seeks the following:

1. **Noting** that the OAIC's approved SES cohort does not include capacity for this position beyond 2025-26 and is dependent on the outcome of NPP mechanisms.
2. **Endorsement** of an SES Band 1 position in RAD and support the continuation of the position through non-ongoing funding mechanisms until such time as a permanent SES cohort allocation becomes available.
3. **Noting** that it is the recommendation of People and Culture, supported by EGM RAD, that this position be externally advertised as part of a merit-based process, if the continuation of the role is endorsed by Governance Board.
4. If the position is endorsed, the Board **approves** the recruitment process to commence immediately for a gazetted (merit-based) selection process for a general SES Band 1 position, with any appointments subject to finalisation of the 2026/27 budget in April/May 2026.

The Chair has requested that this paper be circulated out-of-session for endorsement and feedback.

If endorsed, People and Culture will progress with recruitment for the position and provide detailed HR advice in relation to specific HR considerations.

It would be very much appreciated if you could provide your endorsement as requested by **cob Wednesday 11 March 2026**.

Regards

Out of
scope



Out of scope

Governance Support Officer/Secretariat
Governance, Risk and Compliance Team, Enabling Services
Branch
Office of the Australian Information Commissioner
Sydney | P ^{Out of scope}
E ^O
u

OFFICIAL: Sensitive

General Manager, Investigations & Enforcement

Role Summary:

The **General Manager, Investigations & Enforcement** provides leadership to the Investigations and Enforcement Branch (**Branch**) within the Regulatory Action Division (**RAD**) which contains teams conducting investigations and enforcement activities, develops and implements investigation, litigation and enforcement strategies, and ensures the OAIC's proactive regulatory action is consistent, proportionate and effective. Reporting to the Executive General Manager, Regulatory Action (**EGM RAD**), this role translates the agency's strategic priorities as they relate to proactive investigations and enforcement into operational plans, manages resources to achieve maximum impact, and builds team capability to deliver quality and timely regulatory outcomes. The position plays an essential role in positioning the OAIC as an effective and trusted regulator by ensuring investigations and enforcement related regulatory activities are targeted to address the most significant privacy and freedom of information access risks to the Australian community.

Duties

Key responsibilities of the role include the following:

- Enhancing operational and case prioritisation processes and implementing new ways of working across the Branch and supporting the EGM RAD in enhancing such practices across RAD.
- Increasing the impact of the OAIC's regulatory action activities through targeted investigations and enforcement and associated communication strategies.
- Providing oversight and leadership to the Branch and as part of the leadership of RAD, enhancing approaches to delivery while balancing competing demands on resources and engaging with risk to deliver the best enforcement outcomes for the community and positioning the OAIC for the future.
- Working closely with the EGM RAD, Principal Director Compliance, other OAIC executives and the OAIC's Commissioners to develop, communicate, implement, evaluate and refine the OAIC's regulatory strategy.
- Supervising teams responsible for strategic and proactive investigations and enforcement action to reduce harms to the community caused by freedom of information rights violations.

- From time to time, representing the OAIC publicly, under parliamentary or other external scrutiny, or with external stakeholders, and in making complex and contested statutory decisions.
- Ensuring the OAIC's investigation and enforcement activity is targeted and strategic and applied in a way that advances the community's freedom of information rights and the OAIC's regulatory priorities.
- Providing strategic input into evaluation of the effectiveness of regulatory policies, operational frameworks and guidelines.
- Effectively overseeing and providing advice to the EGM RAD and Commissioners regarding the expenditure of funds to support investigations and proportionate enforcement action including legal and expert fees and disbursements.
- Developing and overseeing investigation and litigation strategies to deliver impactful, timely and proportionate outcomes that promote and protect privacy and information access rights
- Guiding and directing the Directors within the Branch to develop and nurture a high performing, multidisciplinary, collaborative and innovative culture that is aligned with OAIC's guiding principles.
- Supporting the EGM RAD and Commissioners in maintaining critical stakeholder relationships including across government, in academia, the private sector and the Minister's Office and ensuring staff across the Branch are engaging effectively with stakeholders, positioning the OAIC as a trusted regulator; and
- Supporting the EGM RAD to establish and drive strategic agendas that align with and supports the Commissioners' priorities and agency purpose.
- Providing timely reporting and visibility of the progression of investigations and enforcement actions being undertaken by the Branch.
- Other duties as required.

You are encouraged to familiarise yourself with the [Senior Executive Service Work Level Standards](#) for your relevant classification, including the [Secretaries Charter of Leadership Behaviours](#) and [Senior Executive Service Performance Leadership Framework](#).

The above duties are to be performed in accordance with the APS Code of Conduct and APS Values and OAIC policies, including Workplace Diversity and Work Health

and Safety. Under section 25 of the Public Service Act 1999 the OAIC may re-assign the duties of an employee from time to time.

From: [TYDD,Liz](#)
To: [LINACRE,Alice](#); [GHALI,Sarah](#); [OAIC - Secretariat](#); [KIND,Carly](#); [MCDONALD,Ashleigh](#); [PARK,Rowena](#)
Cc: [OAIC - Executive Assistant](#)
Subject: Re: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]
Date: Wednesday, 18 March 2026 7:40:24 PM

OFFICIAL: Sensitive

Great to have this settled and Sarah your action today is appreciated.

Kind regards

Liz

OFFICIAL: Sensitive

From: LINACRE,Alice [Out of scope]
Sent: Wednesday, March 18, 2026 4:47:05 PM
To: GHALI,Sarah [Out of scope]; OAIC - Secretariat [Out of scope]
TYDD,Liz [Out of scope]; KIND,Carly [Out of scope]
MCDONALD,Ashleigh [Out of scope]; PARK,Rowena [Out of scope]
Cc: OAIC - Executive Assistant <executiveassistant@oaic.gov.au>
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Thanks Sarah, endorsed with thanks for making the change.

OFFICIAL: Sensitive

From: GHALI,Sarah [Out of scope]
Sent: Wednesday, 18 March 2026 4:38 PM
To: LINACRE,Alice [Out of scope]; OAIC - Secretariat [Out of scope]
TYDD,Liz [Out of scope]; KIND,Carly [Out of scope]
MCDONALD,Ashleigh [Out of scope]; PARK,Rowena [Out of scope]
Cc: OAIC - Executive Assistant [Out of scope]
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Good afternoon

Thanks to all for their comments and consideration of the paper.

As Commissioner Tydd is travelling this afternoon, she has requested that I circulate amendments the position description requested by Commissioner Linacre which have been settled by Commissioners Tydd and Linacre and the EGM RAD.

To close out this paper, we take that members have endorsed item 2 and note the need to consider the impact of the position on the broader leadership structure of RAD as part of any future decision making necessitated by the budget process.

Kind regards

Sarah

OFFICIAL: Sensitive

From: LINACRE,Alice [Out of scope]
Sent: Monday, 16 March 2026 11:35 AM
To: OAIC - Secretariat [Out of scope]; TYDD,Liz [Out of scope]
KIND,Carly [Out of scope]; MCDONALD,Ashleigh [Out of scope]
PARK,Rowena [Out of scope]
Cc: OAIC - Executive Assistant [Out of scope]; GHALI,Sarah
[Out of scope]
Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

With apologies, Ro has pointed an 'information access' part of the role description, I have asked that the words FOI be added to add clarity. Thanks Ro!

OFFICIAL: Sensitive

From: LINACRE,Alice
Sent: Friday, 13 March 2026 11:42 AM
To: OAIC - Secretariat [Out of scope]; TYDD,Liz [Out of scope]
KIND,Carly [Out of scope]; MCDONALD,Ashleigh [Out of scope]
PARK,Rowena [Out of scope]
Cc: OAIC - Executive Assistant [Out of scope]; GHALI,Sarah
[Out of scope]

Subject: RE: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

Hi [Out of scope]

Thanks for this comprehensive paper, it reads well.

First a governance question: Can I check if GB advisors should be consulted on OOS GB papers? If so [Out of scope] and Marcel are not included?

Second, I would like FOI to be added to the role description, I could only see references to Privacy work, so would like it to be clear that the role covers both? If that change is made then I am happy to endorse, noting and agreeing with Ash's comments. Just a process question, I understood the paper was circulated for OOS consideration, not comment, will it be re-circulated following comments?

Kind regards

Alice

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Sent: Monday, 9 March 2026 1:46 PM
To: TYDD,Liz [Out of scope]; KIND,Carly [Out of scope]
LINACRE,Alice [Out of scope] MCDONALD,Ashleigh
[Out of scope]; PARK,Rowena [Out of scope]
Cc: OAIC - Secretariat [Out of scope] OAIC - Executive Assistant
[Out of scope] GHALI,Sarah [Out of scope]
Subject: [For Endorsement - due Wednesday 11 March] Out-of-session Governance Board Paper - RAD Leadership Business Case [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Dear Governance Board members

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The Chair has requested that this paper be circulated out-of-session for endorsement and feedback.

If endorsed, People and Culture will progress with recruitment for the position and provide detailed HR advice in relation to specific HR considerations.

It would be very much appreciated if you could provide your endorsement as requested by **cob Wednesday 11 March 2026**.

Regards

Out of scope



Out of scope

Governance Support Officer/Secretariat
Governance, Risk and Compliance Team, Enabling Services Branch
Office of the Australian Information Commissioner

Sydney | P Out of scope

E Out of scope

OFFICIAL: Sensitive

Archived: Thursday, 19 March 2026 7:47:40 AM
From: [OAIC - Secretariat](#)
Sent: Wed, 18 Mar 2026 20:42:00
To: [OAIC - Secretariat](#)
Subject: FW: OOS GB [SEC=OFFICIAL]
Importance: Normal
Sensitivity: None

OFFICIAL: Sensitive

Good afternoon

Thanks to all for their comments and consideration of the paper.

As Commissioner Tydd is travelling this afternoon, she has requested that I circulate amendments the position description requested by Commissioner Linacre which have been settled by Commissioners Tydd and Linacre and the EGM RAD.

To close out this paper, we take that members have endorsed item 2 and note the need to consider the impact of the position on the broader leadership structure of RAD as part of any future decision making necessitated by the budget process.

Kind regards

Sarah

From: TYDD, Liz Out of scope
Sent: Tuesday, 17 March 2026 11:23 AM
To: GHALI, Sarah Out of scope
Subject: RE: OOS GB [SEC=OFFICIAL]

Dear Sarah

I've asked Ro to provide me with a copy of the PD and once I've reviewed could you engage with Out of scope to circulate outcomes as per this extremely helpful approach

Kind regards

Liz

From: GHALI, Sarah Out of scope
Sent: Tuesday, 17 March 2026 11:10 AM
To: TYDD, Liz Out of scope
Subject: RE: OOS GB [SEC=OFFICIAL]

Hi Liz

This paper sought the following decisions from GB out of session:

1. **Noting** that the OAI's approved SES cohort does not include capacity for this position beyond 2025-26 and is dependent on the outcome of NPP mechanisms.
2. **Endorsement** of an SES Band 1 position in RAD and support the continuation of the position through non-ongoing funding mechanisms until such time as a permanent SES cohort allocation becomes available.
3. **Noting** that it is the recommendation of People and Culture, supported by EGM RAD, that this position be externally advertised as part of a merit-based process, if the continuation of the role is endorsed by Governance Board.
4. If the position is endorsed, the Board **approves** the recruitment process to commence immediately for a gazetted (merit-based) selection process for a general SES Band 1 position, with any appointments subject to finalisation of the 2026/27 budget in April/May 2026.

My understanding is that members have now endorsed the two recommendations that required decision subject to the below:

1. Commissioner Linacre requested that the position description to support the recruitment process at item 4 be amended to more clearly reference FOI. The EGM RAD has now supported this step. **Action** – ESB to work with the EGM RAD to adjust the position description to reference FOI prior to advertisement.
2. Note the comments from EGM IRD around the need to consider the impact of the position on the broader leadership structure of RAD as part of any future decision making necessitated by the budget process.

As a next step, it is now open to you to advise the Secretariat that the recommendations have been endorsed. I note you did offer to members to have a meeting to discuss but this offer has not been taken up by members.

Thanks

Sarah

OFFICIAL: Sensitive

Dear Governance Board members

Following recent review, RAD is seeking endorsement from the Governance Board as per the attached out-of-session Governance Board paper in relation to the SES Band 1 Leadership position in RAD ([D2026/005255](#)).

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The Chair has requested that this paper be circulated out-of-session for endorsement and feedback.

If endorsed, People and Culture will progress with recruitment for the position and provide detailed HR advice in relation to specific HR considerations.

It would be very much appreciated if you could provide your endorsement as requested by **cob Wednesday 11 March 2026**.

Regards

Out of
scope



Out of scope

Governance Support Officer/Secretariat
Governance, Risk and Compliance Team, Enabling Services
Branch
Office of the Australian Information Commissioner
Sydney | P^{Out of scope}
E^{Out of scope}

From: [OAIC - Secretariat](#)
To: [TYDD,Liz](#); [KIND,Carly](#); [LINACRE,Alice](#); [PARK,Rowena](#); [MCDONALD,Ashleigh](#)
Cc: [GHALI,Sarah](#); [SAVARY,Marcel](#); [MASTERS,Joanne](#); [Out of scope](#); [OAIC - Executive Assistant](#); [OAIC - Secretariat](#); [Out of scope](#); [AGO,Rocelle](#); [Out of scope](#)
Subject: [Action items assigned] Governance Board meeting 16 April 2026 [SEC=OFFICIAL:Sensitive]
Date: Tuesday, 21 April 2026 10:34:20 AM
Attachments: [draft Governance Board Meeting Minutes 16 April 2026.docx](#)

OFFICIAL: Sensitive

Dear Governance Board members

Please find attached draft minutes of the Governance Board meeting of 16 April 2026 for reference (they can also be found here: [D2026/010985](#)).

The new action items recorded at the meeting are set out below:

Meeting Action Item	Agenda Item	Action item	Assigned Responsibility	Status	Due date
Out of scope					
GB26.15	Item 15	Referral of the RAD Leadership Business Case outcomes to People and Culture.	Sarah Ghali	Open	21/5/26
Out of scope					
Out of scope					

Out of scope

[Redacted]

Please let me know if you have any questions.

Regards

Out of scope



Out of scope

Governance Support Officer/Secretariat
Governance, Risk and Compliance Team, Enabling Services Branch
Office of the Australian Information Commissioner

Sydney | P Out of scope 1

E Out of scope

OFFICIAL: Sensitive



Governance Board Meeting Minutes

Date: 16 April 2026 **Location:** MS Teams
Start: 10:00am **Finish:** 12:30pm

Governance Board Members:

Liz Tydd, Australian Information Commissioner (Chair)
Carly Kind, Privacy Commissioner
Alice Linacre, FOI Commissioner
Rocelle Ago, Executive General Manager – Information Rights (acting)
Rowena Park, Executive General Manger – Regulatory Action

Advisors:

Out of scope [redacted] General Manager – Enabling Services (acting) & CFO
Out of scope [redacted] Principal Director – Legal
Out of scope [redacted] Chief of Staff – Office of the Commissioner
Out of scope [redacted] Director Policy and Statutory Functions RIS (observer)

Out of scope [redacted] Secretariat (GRC)

Present for one or more items at meeting:

Out of scope [redacted], Director People and Culture
Out of scope [redacted] Director Information Management & Systems
Out of scope [redacted] Director Governance Risk and Compliance
Annan Boag, General Manager – Regulatory Action

Apologies:

Ashleigh McDonald, Executive General Manager – Information Rights
Sarah Ghali, General Manager – Enabling Services
Marcel Savary, General Manager – Regulatory Intelligence & Strategy

Out of scope [redacted]

Actions

1. Out of scope [redacted]

[redacted]

Out of scope and Out of scope left the meeting.

7. Out of scope [redacted]

Out of scope entered the meeting.

Discussion

Out of scope [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

- [redacted]
- [redacted]
- [redacted]
- [redacted]

[redacted]

Decision

Out of scope [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[Redacted column of text]



Actions	Out of scope
	N/A

8. Out of scope

Discussion	Out of scope
Decision	Out of scope
Actions	Out of scope

Out of scope left the meeting.

9. Out of scope

Out of scope entered the meeting.

Discussion	Out of scope
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Actions	Out of scope
	[Redacted]
	[Redacted]
	[Redacted]
Out of scope	Out of scope

Out of scope left the meeting.

10. Out of scope

Discussion	Out of scope
	[Redacted]
	[Redacted]
	[Redacted]
	[Redacted]
Actions	Out of scope
	[Redacted]
	[Redacted]

11. Out of scope



Discussion	Out of scope
	[Redacted]
	[Redacted]
	[Redacted]
Decision	Out of scope
Actions	N/A

12. Out of scope

Discussion	Out of scope
	[Redacted]
	[Redacted]
Decision	Out of scope
	[Redacted]
	[Redacted]
	[Redacted]



Actions	Out of scope [Redacted]
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13. Out of scope [Redacted]

Annan Boag entered the meeting.

Discussion	The Board noted the first quarterly project update for the RAD Uplift
	Out of scope [Redacted]
	[Redacted]
	[Redacted]
	[Redacted]
	[Redacted]

Actions	Out of scope [Redacted]
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Annan Boag left the meeting.

14. Out of scope [Redacted]

Discussion	Out of scope [Redacted]
	[Redacted]

Actions	Out of [Redacted]
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15. Out-of-session endorsement RAD Leadership Business Case

Discussion	The Board noted the out-of-session meeting minutes, and endorsement and approval given in relation to the RAD Leadership
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Decision	Business Case and requested that these outcomes be referred to People and Culture for visibility.
	<p>The Board:</p> <ol style="list-style-type: none">1. Noted that the OAIC's approved SES cohort does not include capacity for this position beyond 2025-26 and is dependent on the outcome of NPP mechanisms.2. Endorsed an SES Band 1 position in RAD and support the continuation of the position through non-ongoing funding mechanisms until such time as a permanent SES cohort allocation becomes available.3. Noted that it is the recommendation of People and Culture, supported by EGM RAD, that this position be externally advertised as part of a merit-based process, if the continuation of the role is endorsed by Governance Board.4. Approved the recruitment process to commence immediately for a gazetted (merit-based) selection process for a general SES Band 1 position, with any appointments subject to finalisation of the 2026/27 budget in April/May 2026.
Actions	Referral of the RAD Leadership Business Case outcomes to People and Culture.

16. Out of scope

Discussion	Out of scope
	[Redacted]
Actions	Out of scope

17. Meeting Finalisation

The meeting closed at 12:35pm.

Next Meeting Scheduled – 21 May 2026.