



SYNERGY
FREEDOM OF INFORMATION ACT 1992
INFORMATION STATEMENT

2016

This Information Statement is prepared pursuant to section 96 of the *Freedom of Information Act 1992 (WA) (FOI Act)*.

Purpose of this statement

The FOI Act requires Synergy to make available details about the kind of information it holds. This Information Statement outlines these details.

In addition to creating a right of access to documents, the FOI Act also requires Synergy to ensure that personal information that it holds about an individual is accurate, complete, and up to date and not misleading.

Statutory corporation

The Electricity Generation and Retail Corporation, trading as Synergy, is a statutory corporation created by section 4(1)(a) of the *Electricity Corporations Act 2005*.

Synergy carries out functions and exercises powers under the *Electricity Corporations Act 2005*, *Electricity Industry Act 2004*, *Energy Operators (Powers) Act 1979* and the *Electricity Act 1945* and the various regulations, codes and rules made under them.

Synergy's functions

Synergy is the state's largest electricity generator and retailer of gas and electricity with more than one million residential, business and industry customers within the South West Interconnected System (SWIS) of Western Australia.

Synergy trades wholesale electricity and gas under ring fenced arrangements. It participates in the Wholesale Electricity Market in Western Australia which was set up in 2006.

Its workforce is located in Perth, Kwinana and Collie.

Synergy generates electricity using a range of non-renewable and renewable energy sources.

Major power stations are at located in Collie, Kwinana, Cockburn and Pinjar. Smaller power stations can be found at Mungarra and West Kalgoorlie.

The Synergy fleet also includes wind farms at Albany, Esperance, Kalbarri and Mumbida, a solar farm near Geraldton and wind-diesel systems in Bremer Bay, Coral Bay, Denham and Hopetoun.

Governance

In accordance with the *Electricity Corporations Act 2005*, the functions, policy determination and control of Synergy are vested in the board of directors. The board is accountable to the Minister for Energy, the Hon Dr Mike Nahan MLA, for the organisational performance of the corporation.

As a government trading enterprise, Synergy is not listed on the Australian Securities Exchange (ASX) but seeks to comply, to the extent applicable and not inconsistent with the

requirements of the Electricity Corporations Act 2005, with the ASX principles of corporate governance principles and recommendations.

Organisational structure

Synergy's organisational structure is divided into eight business units, under the overall leadership of the chief executive officer. Each business unit has a general manager and various team leads.

The role of each business unit is as follows:

Generation

The purpose of the Generation Business Unit (**GBU**) is to manage Synergy's generating assets. In addition, the GBU delivers safety and health services across Synergy.

Commercial

The Commercial Business Unit drives Synergy's corporate value and strategic objectives through the identification, valuation, structuring, negotiation, contracting and execution of asset, project and energy transaction opportunities.

The team develops the strategic plan and co-ordinates effective initiative implementation, while driving business improvements.

Corporate Services

The Corporate Services team provides legal, audit, risk management, company secretariat, compliance and environmental governance services to the business.

Finance

The Finance team manages Synergy's financial and treasury affairs. The team includes financial control, financial planning and analysis, and procurement, property, and fleet.

Information Communication Technology

The Information Communication Technology team is accountable for management of all corporate and operational technology.

Retail

Retail's purpose is to create mutual value for Synergy and its customers. With over one million residential and business customers, the Retail team ensure Synergy meets the evolving needs of customers by offering relevant and innovative energy products and services.

Wholesale

The Wholesale Business Unit (**WBU**) is responsible for optimising Synergy's wholesale electricity and fuel portfolios to create value for Synergy and meet the needs of our wholesale customers, which includes the Synergy retail business unit and external third parties.

WBU is legislatively ring-fenced and this allows it to act as the 'broker' between Synergy's retail and generation divisions, as well as the rest of the electricity market.

People and Culture

The People and Culture team enables business success through human resource excellence in systems, performance and strategy. It supports inductions, recruitment and selection, learning and development, performance and recognition, organisational development, payroll, remuneration and benefits, and industrial relations.

How Synergy's functions affect members of the public

Synergy's functions affect members of the public in many ways, including:

- generating electricity and supplying electricity and gas to one million residential, business and industrial customers within the South West Interconnected System (SWIS) of Western Australia; and
- working with government, business and industry to devise alternate energy solutions.

Synergy values and encourages feedback from its stakeholders. Members of the public are able to participate in the formulation of Synergy's policies and provide comment on the performance of Synergy's functions by providing feedback on performance through community forums, and through industry regulators during consultation periods.

DOCUMENTS HELD BY SYNERGY

What is a document?

The FOI Act defines a 'document' as:

- (a) any record or any part of a record; or
- (b) any copy, reproduction or duplicate of a record or any part of a copy, reproduction or duplicate of a record.

Documents held by Synergy available through a FOI application

The types of documents held by Synergy which may be accessed through an FOI application, subject to any exemptions under the FOI Act, include:

- Letters
- Reports
- Email communications
- Computer records
- Facsimiles
- Diagrams
- Audio tapes
- Photographs
- Policies
- Contracts
- Plans
- Minutes and agendas
- Presentations
- Office manuals

Documents available without a FOI application

Synergy produces and releases a number of documents each year which are freely available from Synergy's website at <https://www.synergy.net.au>. These documents include brochures, newsletters, annual reports, quarterly reports and regulatory reports.

FOI APPLICATION PROCESS

Making a FOI application - access to documents

Synergy's Freedom of Information Coordinator is the initial contact point for all FOI related matters (including FOI applications, payments, correspondence and general enquiries).

All FOI applications for access to documents must:

- be in writing;
- provide adequate and specific information so that that documents requested can be identified;
- expressly state that the application is being made under the FOI Act;
- give an Australian address to which notices can be sent; and
- be accompanied by the relevant application fee.

On receipt of an FOI application Synergy will notify the applicant in writing that the application was received.

Under the FOI Act Synergy has 45 days from receipt of an FOI application (or such further time permitted under the FOI act) to make a determination, in accordance with the FOI Act, whether it will release the documents requested.

On completion of the determination process Synergy will prepare a 'Notice of Decision' which will set out:

- the person who made the decision and the date on which the decision was made;
- whether Synergy has decided to give access to the documents and an explanation of that decision; and
- what rights the applicant has to request a review of Synergy's decision.

If a Notice of Decision is not provided to an applicant within the 45 day period, it is taken that Synergy has refused the application. The applicant then has the option of applying to have the refusal of the application reviewed. This process is explained below.

Fees and charges

The following table lists the fees that can be imposed under the FOI Act.

Description	Cost
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Application fee for personal information about the applicant	No fee
Application fee for non-personal information	\$30
Fee for time taken dealing with an FOI application	\$30 per hour or pro rata
Fee for access time supervised by staff (per hour, or pro rata)	\$30 per hour or pro rata
Fee for photocopying staff time	\$30 per hour or pro rata
Fee per photocopy	20c per page
Fee for transcribing from tape, film or computer	\$30 per hour or pro rata
Fee for duplicating a tape, film or computer information	Actual Cost
Fee for delivery, packaging and postage	Actual Cost

The above fees do not apply for access to personal information about the applicant.

Documents which are exempt from disclosure

Synergy is not required to consult or grant access to a document containing information that is exempt from disclosure under the FOI Act.

Exemptions are set out in Schedule 1 of the FOI Act. Documents that may be exempt from disclosure include documents that contain:

- personal, commercial or business information about a third party (not the applicant);
- information that is subject to legal professional privilege;
- information of a confidential nature that was communicated in confidence;
- information relating to the deliberative processes of Synergy; and
- commercial or business information about Synergy.

Where Synergy refuses access on the ground that a document is exempt, the reasons for the decision and the nature of the relevant exemption will be explained in the Notice of Decision provided to the applicant.

PROCESS TO AMEND PERSONAL INFORMATION

Making a FOI application - amending personal information

An individual has a right to apply to Synergy for the amendment of his or her personal information in a document held by Synergy that is:

- inaccurate;
- incomplete;
- out of date; or
- misleading.

On receipt of an application to amend personal information Synergy will notify the applicant in writing that the application was received.

Under the FOI Act Synergy has 30 days from receipt of the application to make a determination, in accordance with the FOI Act, whether it will amend the personal information as requested.

An application to amend personal information must:

- be in writing;

- expressly state that the application is made under the FOI Act;
- give enough details to enable the document that contains the information to be identified;
- give details of how the person believes the information is inaccurate, incomplete, out of date or misleading;
- give the person's reasons for holding that belief;
- give details of the amendment(s) that the applicant requests be made; and
- give an Australian address to which notices can be sent.

On completion of the determination process Synergy will prepare a 'Notice of Decision' which will set out:

- the person who made the decision and the date on which the decision was made;
- whether Synergy has decided to amend the personal information as requested; and
- what rights the applicant has to request a review of Synergy's decision.

Fees and charges

There are no fees or charges applicable to a request to amend personal information,

REVIEW RIGHTS

If an applicant is dissatisfied with Synergy's decision with respect to the provision of access to documents, the applicant may apply to Synergy to have the decision reviewed internally, unless the decision was made by Synergy's Chief Executive Officer in which case the right of review is to the Information Commissioner.

Applications for an internal review of a decision must be forwarded in writing to Synergy within 30 days of receipt of the Notice of Decision. The application must be sent to Synergy's Freedom of Information Coordinator.

Where any matter remains in dispute after an internal review, the applicant has the right to lodge a complaint with the Information Commissioner who will then decide whether to conduct an 'external review' of the matter. The complaint must be lodged within 60 days of the Notice of Decision.

The internal and external reviews may confirm Synergy's decision, vary the decision, or completely set aside the decision and provide a substitute decision. No fees or charges apply to the internal or external reviews.

FOI CONTACT DETAILS

FOI applications, payments, correspondence and general inquiries may be directed to: -

Synergy FOI Representative
GPO Box F366
Perth WA 6841