*The following is a consolidation of the form filled out via the OAIC complaints process and these are the answers I provided.

Annexure explanation

I have prepared one consolidated evidence annexure for this OAIC complaint, uploaded with this form. Throughout my answers, “OA” followed by a page number refers to that master document. Please treat it as supporting the relevant answers wherever the form requests documentation, rather than requiring repeated uploads of the same material.

Details of complaint

What happened and when

On 28 July 2025 at approximately 1:58 pm, Services Australia’s Director of Conduct Standards, Amie Davies, emailed my treating psychiatrist, Dr Theo Theodoros, attaching my final termination letter and a document titled “MHS.pdf”. Her covering email stated that the correspondence was being provided pursuant to my consent. I dispute that the agency had consent for this disclosure (OA 14–19).

The communication arrangement originated in psychiatric correspondence supplied on 2 July 2025. This recommended that written communications could initially be sent to my psychiatrist if I consented, so he could assess their likely impact and determine how to communicate them to me (OA 4–5).

The email exchange of 4–7 July 2025 concerned delivery of the proposed sanction. My consent to that process was not unrestricted permission to disclose every subsequent document. The agency sent the preliminary sanction letter to my psychiatrist on 8 July 2025. I distinguish that authorised communication from the later disclosure of the final termination decision, for which I had not provided fresh consent (OA 6–13).

Who was involved

Services Australia was the agency responsible for holding and disclosing my information. Amie Davies transmitted the correspondence and represented that consent existed. Patrick Geary, the sanction delegate, made the termination decision. Davies’s witness statement records that he confirmed her recommendation to issue the final letter through my psychiatrist (OA 27–29).

Kingston Reid, the agency’s solicitors, and Peta Willoughby, counsel instructed by Kingston Reid, subsequently advanced the agency’s position defending the disclosure. Their involvement is relevant to the agency’s official response to my complaint. I do not allege that they sent the original email to my psychiatrist.

How and when I found out

I learned of the final termination correspondence through my psychiatrist on 5 August 2025, after the termination's stated effective date of 4 August 2025.

On 5 August 2025 at 2:25 pm, my psychiatrist recorded that I needed to consent each time before he could access agency documentation and that I had not indicated consent for this document (OA 26). That clarification was forwarded to Davies at 2:50 pm (OA 21).

Davies contacted me at 3:44 pm, advising that the final letter had been sent to my psychiatrist on 28 July and asking me to contact him to obtain the outcome (OA 24–25). At 3:50 pm, she told his practice that she had understood my consent to cover all delegate correspondence regarding the decision (OA 20).

The clarification and request for confirmation therefore occurred after the disclosure. My psychiatrist's refusal to access the document without confirmation of consent did not undo the agency's transmission of it.

What responses I have received

[The original paragraph concerning the agency's F3 response dated 30 October 2025 has not been recovered.]

The issue was discussed during the hearing on 13 April 2026, including in questioning by Willoughby. I distinguished consent to the preliminary correspondence from consent to the final decision and explained my understanding that consent was required for each document (OA 30–37).

In the agency's closing submissions dated 7 May 2026, Willoughby, instructed by Kingston Reid, maintained that the final correspondence had been provided with my consent. The submissions relied on the wording of my earlier email and my alleged failure to correct Davies's interpretation. Alternatively, they described any breach as minor and unintentional, amounting to a "mere blemish" in an otherwise fair process (OA 50–51, paragraphs 4.1–4.4).

The agency has therefore defended the disclosure rather than accepted my complaint. Its position relies on its interpretation of earlier correspondence and my alleged failure to correct that interpretation.

I dispute that my silence or failure to challenge an acknowledgement established consent to a later, separate disclosure. My complaint is that the agency failed to establish the scope of its authority before sending the final termination correspondence, despite the conditional nature of the communication arrangement and the sensitivity of the information involved.

I ask the OAIC to assess this handling of my information under APP 6, including whether any lawful basis permitted the disclosure, and APP 1.2, concerning the agency's procedures for recording, verifying and implementing consent requirements.

Other dispute resolution proceedings and explanation of delay

I raised the disclosure of my termination correspondence to my psychiatrist without the required consent in my unfair dismissal application lodged with the Fair Work Commission on 25 August 2025. The consent dispute was subsequently addressed in the hearing and the agency's closing submissions.

The Commission considered this issue as part of whether my dismissal was unfair, rather than determining a standalone complaint under the Privacy Act or Australian Privacy Principles. Its treatment of the issue did not resolve my concerns about the scope of my consent or the agency's disclosure of my personal information.

The Commission dismissed my unfair dismissal application, and permission to appeal was refused on 22 October 2026. Those proceedings have concluded, so the Commission is no longer dealing with the matter.

Because the disclosure issue was already tied up in that dispute resolution process, I deferred approaching the OAIC while pursuing its resolution through those proceedings and the subsequent appeal. The duration and demands of that process, together with the impact on my health, contributed to the delay. I am now seeking a specific assessment of the alleged privacy breach, which remains unresolved.

Outcomes sought

I seek formal accountability, findings and the strongest regulatory action lawfully available on the established facts. An apology alone would not resolve this complaint, and compensation is not my primary objective.

1. Investigation and determination. I seek findings about whether Services Australia, through Amie Davies and any other responsible officers, disclosed my information without lawful authority and failed to verify and honour the conditions of my consent (OA 4–29).

2. Agency-level enforcement. I ask the OAIC to assess the seriousness of the interference and exercise its applicable enforcement powers. Accountability should address the agency's practices and responsibility, rather than treating the disclosure solely as an individual employee's misunderstanding.

3. Scrutiny of the agency's defence and its representatives' submissions. I seek examination of the position advanced through Davies, Kingston Reid and Peta Willoughby, including reliance on my alleged failure to correct Davies and the description of any breach as a "mere blemish" (OA 20–29; OA 50–51,

paragraphs 4.1–4.4). I seek correction of representations found inaccurate and, where warranted and lawfully available, referral of potentially misleading professional conduct to the appropriate regulator.

4. Enforceable corrective measures. I seek verified consent procedures, compulsory training for relevant officers and independent assessment or audit, with clear deadlines and oversight. This should include correction of inaccurate consent records, preservation of relevant evidence and communication of findings to the officers and legal representatives involved.
5. Public accountability. I ask the OAIC to consider publishing any determination with appropriate protection of my sensitive information, so that established failures, enforcement outcomes and required corrective measures are transparent.

I am willing to participate in conciliation directed towards substantive, enforceable accountability. General assurances or an apology would not suffice. If conciliation cannot achieve a meaningful resolution, I seek investigation and determination of the complaint.