

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Environment portfolio

Question No: 196
Hearing: Supplementary Budget Estimates
Outcome: Corporate
Programme: Policy and Communications Division
Topic: Portfolio wide – Freedom of Information
Hansard Page: N/A

Question Date: 27 November 2013

Question Type: Written

Senator Ludwig asked:

What resources does the Department commit to its Freedom of Information team?

List the staffing resources by APS level assigned solely to Freedom of Information requests

List the staffing resources by APS level assigned indirectly to Freedom of Information requests

Answer:

The Department's Freedom of Information (FOI) Coordination Team comprises two coordinators at EL1 and APS 6 level who are supported by an APS 6 Legal Officer. The team reports to an EL2 Principal Legal Officer who provides guidance and advice as required. The members of the team are not assigned solely to Freedom of Information requests, but FOI requests form a large part of the team's work.

The Department has a 'decentralised' model for the processing of requests received in accordance with the *Freedom of Information Act 1982*. This model does not designate particular officers per se; the delegate is determined based on the subject matter of each FOI request received.

An SES officer from the branch responsible for the subject matter of the request is nominated as the delegate by the relevant First Assistant Secretary. An SES officer experienced in FOI is nominated as an FOI mentor to support the delegate in making the decision.

In addition to the FOI mentor the SES delegate may be supported in the processing of FOI requests by their staff.

Clean Energy Regulator

The Freedom of Information function is coordinated by the Legal Services Section within the Clean Energy Regulator. There is no distinct funding for the function.

No officer is assigned directly (or solely) to Freedom of Information requests.

The following staffing resources are assigned indirectly to Freedom of Information requests:

- Senior Executive Service band 1—as and when required
- Senior Legal Officer—currently, approximately 60 per cent of workload but depends on nature and volume of requests on hand

- Senior Legal Officer—as and when required
- Legal Officer—as and when required, and
- Administrative Assistant—as and when required

The search and retrieval of relevant files and documents may be done by officers in other areas of the Clean Energy Regulator, depending on the nature of the requested documents. Relevant officers are mainly employed at the APS 4 to 6 levels, with direction and assistance from an Executive Level 2 (and/or Senior Executive Service Band 1 when required).

Climate Change Authority

There is one Executive Level 1 officer assigned to process Freedom of Information requests as part of the Authority's corporate services function. There are no staff members assigned solely to processing Freedom of Information requests.

Murray-Darling Basin Authority

The Murray-Darling Basin Authority has no positions dedicated full time to Freedom of Information (FOI) requests. One APS 6 position is partly dedicated to FOI requests with legal positions and a Senior Executive Service 2 position dedicated as required.

Bureau of Meteorology

Assigned solely to Freedom of Information requests:

- EL1 – FOI Coordinator

Assigned indirectly to Freedom of Information requests:

Staff at a range of different APS levels (including SES officers) may be required on a case-by-case basis to assist different aspects of handling FOI requests, including document searches, internal consultation and decision-making.

National Water Commission

Due to the size of the Commission, the Commission does not have a FOI team. As FOI requests are dealt with on a case by case basis, there have been no staffing resources assigned solely or indirectly to FOI requests.

Great Barrier Reef Marine Park Authority

Freedom of Information requests are managed by the Great Barrier Reef Marine Park Authority's Legal Services section.

There are no staff assigned solely for the purpose of Freedom of Information requests.

Freedom of Information requests are managed in the Legal Services section by:

1 x EL2

2 x EL1

1 x APS6

1 x APS3

Other staff within Great Barrier Reef Marine Park Authority undertake tasks to assist with the processing of Freedom of Information requests and this varies depending on the nature of the Freedom of Information request.

Sydney Harbour Federation Trust

The Trust FOI Officer is equivalent to APS 6 Level 3 (Sydney Harbour Trust staff is not employed under the Australian Public Service Act). This position is a part-time position. The officer reports to an EL2 equivalent who provides guidance and advice as required. The members of the team are not assigned solely to Freedom of Information requests.

The Trust has a 'decentralised' model for the processing of requests received in accordance with the *Freedom of Information Act 1982*. This model does not designate particular officers per se; the delegate is determined based on the subject matter of each FOI request received.

An SES (equivalent) officer from the branch responsible for the subject matter of the request is nominated as the delegate by the Executive Director.

The SES delegate may be supported in the processing of FOI requests by staff at the Trust with FOI experience.