

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

**Question No:** 201

**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 training does the Department provide to designated decision makers under the Freedom of Information Act who work within the Department?

- a) Of the officers designated as decision makers within the Department, how many have received formal training?
- b) Of the officers designated as decision makers within the Department, how many have received informal training?
- c) How long after each officer's appointment as a designated decision maker did they receive formal training?
- d) What did the training involve?
- e) How long was the training?
- f) By whom was the training conducted?

**Answer:**

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 Freedom of Information (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 the decision-making process.

The FOI Coordination Team provides support to each delegate during each stage of processing an FOI request. The level of guidance and training needed is dependent upon the experience of the SES officer in dealing with FOI requests.

Each member of the FOI Coordination Team is a member of the Information Contact Officer Network (ICON) facilitated by the Office of the Australian Information Commissioner. ICON provides a regular range of forums and materials on current issues relating to FOI.

## **Clean Energy Regulator**

Due to the relatively low number of Freedom of Information applications the Clean Energy Regulator receives (approximately one per month), training is provided to individual decision-makers on an as-needed basis. The training is provided informally.

- a) See answer above. No formal training has been provided via the Clean Energy Regulator.
- b) Two of the decision-makers have received informal training. (The other authorised officers have not been required to make any decision on a Freedom of Information request to date, and have therefore not required training.)
- c) No formal training has been provided by the Clean Energy Regulator. Informal training is provided as and when required to each decision-maker when assigned as the decision maker to a particular matter.
- d) No formal training has been provided. However, informal training involved an explanation of the Freedom of Information legislation (including the Freedom of Information Guidelines), both at the start of each matter and as required during the processing of each matter.
- e) See above.
- f) Training is provided by General Counsel and Senior Legal Officers employed by the agency.

## **Climate Change Authority**

There are no formal training programmes for designated decision makers under the *Freedom of Information Act* who work within the Climate Change Authority. Designated decision makers rely upon the advice and support of legally qualified practitioners within the Department of Industry Legal Services team.

- a) None
- b) One
- c) Not applicable
- d) Not applicable
- e) Not applicable
- f) Not applicable

## **Murray Darling Basin Authority**

a-f) Formal training was provided to all decision makers in August 2010 by Blake Dawson. Since that date, informal advice and guidance to decision makers in accordance the *Freedom of Information Act 1982* (Cth) and the Office of the Australian Information Commissioner's guidelines has been provided an on-going basis as required.

### **Bureau of Meteorology**

Prior to being given a delegation to make decisions, training is provided on statutory responsibilities and requirements under the FOI Act to each decision maker. General information briefings on Freedom of Information are provided to all staff during information awareness week at the Bureau of Meteorology and information is always available on the Bureau's website and intranet. This information is updated as required and staff are advised of changes.

- a) Five
- b) Five
- c) Training is provided prior to being given a delegation to make decisions.
- d) Formal training consists of the FOI Coordinator explaining the decision-making process, the role of the decision-maker, relevant exemptions, the charges regime and publication requirements. The FOI Coordinator works closely with first time decision-makers on their initial case, and provides advice on subsequent cases.
- e) The training occurs during a number of meetings during the FOI process.
- f) FOI Coordinator.

### **National Water Commission**

The Commission has not provided training to designated decision makers under the FOI Act.

- a) to f) Not applicable

### **Great Barrier Reef Marine Park Authority**

- a) Three.
- b) Three of the designated decision makers have received informal decision training through the Office of the Australian Information Commissioner website, guidelines and publications.
- c) Two received formal training within one month of appointment and one was formally trained prior to appointment with the Great Barrier Reef Marine Park Authority.
- d) Attendance at a training course that provided an overview of the FOI Act and the FOI application procedures.
- e) One day.
- f) Australian Government Solicitor.

### **Sydney Harbour Federation Trust**

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 Freedom of Information (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.

Officers involved with the particular FOI request as well as the Trust Executive provides support to each delegate during each stage of processing an FOI request. The level of guidance and training needed is dependent upon the experience of the officer in dealing with FOI requests.

The Trust has members participating in the Information Contact Officer Network (ICON) facilitated by the Office of the Australian Information Commissioner. ICON provides a regular range of forums and materials on current issues relating to FOI.