

Senate Community Affairs References Committee

DESIGN, SCOPE, COST-BENEFIT ANALYSIS, CONTRACTS AWARDED AND IMPLEMENTATION ASSOCIATED WITH THE BETTER MANAGEMENT OF THE SOCIAL WELFARE SYSTEM INITIATIVE

PUBLIC HEARING 11 APRIL 2017

ANSWER TO QUESTION ON NOTICE

Department of Human Services

Topic: Publication of Data

Question reference number: QoN 116

Member: Senator Duniam

Type of question: Hansard page 6

Date set by the committee for the return of answer: 5 May 2017

Number of pages: 1

Question:

Senator DUNIAM: I presume you follow legislation. In addition to taking that on notice and just so we have a full understanding of that issue, can you outline which piece of legislation the department obeys with regard to publishing whatever data it needs to publish?

Mr Mowbray-d'Arbela: Yes.

Answer:

There is no legislative requirement for agencies to publish data matching programme protocols. The Department conducts data matching activities in accordance with the Office of the Australian Information Commissioner's *Guidelines on Data Matching in Australian Government Administration (Guidelines)*. The Guidelines are issued under paragraph 28(1)(a) of the *Privacy Act 1988*.

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PUBLIC HEARING 11 APRIL 2017

ANSWER TO QUESTION ON NOTICE

Department of Human Services

Topic: Freedom of Information Requests

Question reference number: QoN 119

Member: Senator Siewert

Type of question: Hansard page 9

Date set by the committee for the return of answer: 5 May 2017

Number of pages: 2

Question:

Senator SIEWERT: Some people are using FOI to try to get their data because they have not been getting it. That is the evidence we got yesterday. So that is more than 28 days. It is taking longer than four weeks for them to get that data.

Mr Mowbray d'Arbela: Yes. If I could come back to you on that. I will take it on notice.

Senator SIEWERT: Okay. Could you have a look against what I have just asked and what Senator Duniam has just asked against recommendation 2, because my reading of recommendation 2 is that it is clearly not included.

Answer:

People do not need to complete an FOI request to seek information from the Department. People can request further information by calling the Department's dedicated compliance number on 1800 086 400. This allows the customer to obtain information to support them in completing their compliance intervention in a timely manner.

If a recipient has a concern regarding the time frame, they can also contact the above number and request an extension. Time extensions can also be requested online.

The Department has increased the time the individual has to respond to an initial contact letter. Individuals now have 28 days from receipt of the initial letter. The initial letter is sent by registered mail to all current and former recipients regardless of location. The letter advises the due date will be 28 days from the date the letter is received (signed for) by the individual.

The individual can seek extensions by either:

1. calling the dedicated compliance number 1800 086 400 and discuss their personal circumstances with a Compliance Officer and request an extension, or
2. going online and ask for an extension.

Extensions are automatically granted on two occasions. If further extensions are required, individuals can contact the Department on the dedicated compliance number to seek further extensions.