

Senate Community Affairs Legislation Committee

ADDITIONAL BUDGET ESTIMATES - 14 FEBRUARY 2013 ANSWER TO QUESTION ON NOTICE

Human Services Portfolio

Topic: Freedom of Information

Question reference number: HS 40

Senator: Boyce

Type of question: Written

Date set by the committee for the return of answer: 5 April 2013

Number of pages: 2

Question:

- a) Has the Department received any updated advice on how to respond to FOI requests?
- b) What is the total cost to the Department to process FOI requests for this financial year to date?
- c) How many FOI requests has the Department received for this financial year to date?
- d) How many requests have been denied and how many have been granted?
- e) Has the Department failed to meet the processing times outlined in the FOI Act for any requests? If so, how many and why? Do any of these requests remain outstanding? If so, how many and why?

Answer:

- a) The Department received the following updated advice:
 - i. guidelines issued under section 93A of the Freedom of Information Act 1982 provided by the Office of the Australian Information Commissioner (OAIC) agency website; and
 - ii. legal advice from panel firms in relation to the operations of the *Freedom of Information Act 1982* (FOI Act).
- b) The Department is required by the *Freedom of Information Act 1982* to report FOI costs to the Office of the Australian Information Commissioner annually. To prepare year to date figures at this time would be an unreasonable diversion of resources.
- c) As reported to the Office of the Australian Information Commissioner in the July 2012 – September 2012 quarter one and October 2012 – December 2012 quarter two report, the Department received 1,652 FOI requests.

- d) Of those requests processed from July 2012 – December 2012, the Department granted 1,367 in full or in part, and refused access to 154. As there is a 30 day time frame in which to process applications, not all of these would have been processed in the quarter in which they were received.
- e) As reported to the Office of the Australian Information Commissioner in the July 2012 – September 2012 quarter one and October 2012 – December 2012 quarter two report, the Department did not meet the processing times outlined in the FOI Act in 32 cases or 2.10 per cent of the total applications processed in that timeframe. In 10 of these cases, the Department completed the applications within days of the statutory timeframe, but the other cases proved more complex than anticipated. None of these matters remain outstanding.