

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH AND AGEING PORTFOLIO

Additional Estimates 13 and 15 February 2013

Question: E12-081

OUTCOME 0: Whole of Portfolio

Topic: Freedom of Information

Type of Question: Written Question on Notice

Senator: Senator Boyce

Question:

- a) Has the department/agency 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?
- f) Do any of these requests remain outstanding? If so, how many and why?

Answer:

- a) The Office of the Australian Information Commissioner (OAIC) has issued guidelines for the purposes of the *Freedom of Information Act 1982* (FOI Act). The Department of Health and Ageing has regard to the OAIC Guidelines in the performance of its functions and exercise of powers under the FOI Act. The Department received advice from the OAIC in January 2013 that some of the guidelines had been updated and these could be accessed from the OAIC website. The Department has processes in place to ensure that where updates are issued they are identified to all relevant Department officers.
- b) For the period 1 July 2012 to 31 January 2013 the non-staff* cost directly attributable to FOI is \$61,619.71. The Department does not keep records of all staff time spent on FOI, so cannot provide a total figure for staff costs.
- c) For the 2012-13 financial year to date the Department has received 194 new FOI requests.

- d) For the 2012-13 financial year to date the Department has made 121 decisions in relation to FOI requests. Of the 121 decisions, 27 granted access in full access, 44 granted partial access and 50 refused access.
- e) Of the FOI decisions made to date, the Department failed to meet processing times on 10 occasions. Failures to meet statutory timelines were generally attributable to factors such as failure of third parties to respond on time to consultations about privacy or commercial business interests or insufficient resources in program areas to both perform their usual duties and complete the labour-intensive tasks involved in large requests. It is the Department's standard practice in such instances to contact FOI applicants in advance of the expiry of the statutory period to inform them when the decision may be late and to seek their agreement to an extension of time.
- f) No.

*non-staff cost include training, solicitors fees, legal Counsel fees and database administration fee.