

**Senate Community Affairs Committee**

**ANSWERS TO ESTIMATES QUESTIONS ON NOTICE**

**HEALTH AND AGEING PORTFOLIO**

**Budget Estimates 2013-14, 5/6 & 7 June 2013**

**Question: E13-069**

**OUTCOME:** 0 - Whole of Portfolio

**Topic:** Freedom of Information

**Type of Question:** Written Question on Notice

**Senator:** Smith

**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? How many requests have been denied and how many have been granted? 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 Office of the Australian Information Commissioner (OAIC) has issued guidelines for the purposes of the *Freedom of Information Act 1982* (the FOI Act). The Department of Health 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 and April 2013 that some of the guidelines had been updated and these could be accessed from the OAIC website.
- b) For the period 1 July 2012 to 30 June 2013 the non-staff\* cost directly attributable to FOI requests is \$116,935.49. The Department does not keep records of all staff time spent on FOI requests, so cannot provide a total figure for staff costs.
- c) For the 2012-13 financial year the Department received 276 new FOI requests.

For the 2012-13 financial year the Department made 167 decisions in relation to FOI requests. Of the 167 decisions, 34 granted access in full, 68 granted partial access and 65 refused access.

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\* Non-staff cost includes training, database administration fee and external legal costs.

Of the FOI decisions made, the Department did not meet processing times on ten occasions due 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 perform their usual duties and complete the labour-intensive tasks involved with 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 seek their agreement to an extension of time.