

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, HOUSING, COMMUNITY SERVICES AND
INDIGENOUS AFFAIRS PORTFOLIO
2013-14 Budget Estimates Hearings

Outcome Number: Cross

Question No: 330

Topic: Freedom of Information

Hansard Page: Written

Senator Smith asked:

1. Has the department/agency received any updated advice on how to respond to FOI requests?
2. What is the total cost to the department to process FOI requests for this financial year to date?
3. 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?
4. 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:

1. In responding to FOI requests, the Department is required to take into account the guidelines issued by the Australian Information Commissioner under section 93A of the *Freedom of Information Act 1982 (Guidelines)* and any advice provided by the Australian Information Commissioner and/or the Freedom of Information Commissioner. The Guidelines are updated from time to time and the Department is notified of these updates by the Office of the Australian Information Commissioner.
2. Expenditure on FOI processing is calculated by the Office of the Australian Information Commissioner (OAIC), based on information submitted by the Department annually at the end of each financial year. Information about such expenditure is published in the OAIC's Annual Report. It is not possible for the Department to accurately calculate the costs of processing FOI requests for the financial year to date without diverting significant resources to the task.
3. The Department received 74 new requests from 1 July 2012 to 3 June 2013, of these 74 requests, 63 have been finalised, of which:
 - 34 were granted (5 in full and 29 in part);
 - 8 were denied; and
 - 21 were either withdrawn or transferred to another agency.

The remaining 11 requests are still being processed by the Department in accordance with the statutory timeframes under the FOI Act.

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4. The Department failed to meet the processing timeframes under the FOI Act for four FOI requests received in the 2012-13 financial year. Factors contributing to the delay of these requests include:
 - the applicant did not agree to extension of the decision making timeframe in two cases; and
 - the timing of requests impacting on the workload of the team.

To minimise delay in finalising these requests, the Department allocated additional resources to the FOI team.

5. Of the four requests received in the 2012-13 financial year that were not met by the Department within the processing timeframes under the FOI Act, none remain outstanding. In each case the Department applied in writing to the Information Commissioner (IC) for further time to deal with the request under s15AC(4) of the FOI Act. The Department notified a decision in relation to each request within the additional timeframe allowed by the IC.