

Senate Community Affairs Legislation Committee

BUDGET ESTIMATES – 5-6 JUNE 2014 ANSWER TO QUESTION ON NOTICE

Department of Human Services

Topic: Freedom of Information – Consultation with Other Departments, Agencies and the Minister

Question reference number: HS 136

Senator: Ludwig

Type of question: Written

Date set by the committee for the return of answer: 25 July 2014

Number of pages: 2

Question:

- a) Other than for the purpose of discussing a transfer under section 16 of the Act, does the Department consult or inform other Departments or Agencies when it receives Freedom of Information requests?
- b) If so, for each instance provide a table setting out the following information:
 - i) the Department or Agency which was consulted;
 - ii) the document;
 - iii) the purpose of the consultation;
 - iv) whether an extension of time was sought from the applicant to allow time for the consultation, including whether it was granted and the length of the extension; and
 - v) whether an extension of time was sought from the Information Commissioner to allow time for the consultation, including whether it was granted and the length of the extension
- c) Other than for the purposes of discussing a transfer under section 16 of the Act, has the Department consulted or informed the Minister's office about Freedom of Information requests it has received?
- d) If yes, provide a table setting out the following information:
 - i) the requests with respect to which the Minister or Ministerial office was consulted;
 - ii) the Minister or Ministerial office which was consulted;
 - iii) the purpose of the consultation;
 - iv) whether an extension of time was sought from the applicant to allow time for the consultation, including whether it was granted and the length of the extension;
 - v) whether an extension of time was sought from the Information Commissioner to allow time for the consultation, including whether it was granted and the length of the extension; and
 - vi) whether any briefings (including formal briefs, email briefings and verbal briefings) were provided to the Minister's office.

Answer:

- a) Yes. The department consults with other departments or agencies whose functions are related to the subject matter of the documents within the scope of the Freedom of Information request.
- b) i) – v) It would be an unreasonable diversion of resources for the department to review all decisions on Freedom of Information requests to determine in each request whether consultation was undertaken and the circumstances related to a consultation.
- c) Yes. A weekly Freedom of Information Report about significant Freedom of Information requests is sent to the Minister's office. The department may also inform the Minister when it receives a significant Freedom of Information request.
- d) i) – vi) It would be an unreasonable diversion of resources for the department to review all decisions on Freedom of Information requests and any material provided to the Minister's office related to Freedom of Information requests.