

## Senate Community Affairs Legislation Committee

### SUPPLEMENTARY ESTIMATES - 21 NOVEMBER 2013 ANSWER TO QUESTION ON NOTICE

#### Department of Human Services

**Topic:** Freedom of Information

**Question reference number:** HS 49

**Senator:** Siewert

**Type of question:** Written

**Date set by the committee for the return of answer:** 24 January 2014

**Number of pages:** 2

#### **Question:**

For each month since 1 July 2012, provide data on:

- a) the number of requests for recipients own file under the FOI Act;
- b) the number of rejections for own recipients file under the FOI Act; and
- c) the number of recipients own file released outside of the FOI process.

#### **Answer:**

- a) See table below.

<b>As at</b>	<b>The number of requests for recipient's personal information on their own file under the FOI Act.</b>
1 August 2012	291
1 September 2012	321
1 October 2012	244
1 November 2012	269
1 December 2012	296
1 January 2013	184
1 February 2013	227
1 March 2013	326
1 April 2013	289
1 May 2013	301
1 June 2013	442
1 July 2013	322
1 August 2013	361
1 September 2013	358
1 October 2013	367
1 November 2013	333

- b) Where a person makes a freedom of information request for personal information contained on his or her file, that file may contain not only the applicant's own personal information but also other information including personal information about other people.

The department is required by the *Freedom of Information Act 1982* to provide a quarterly statistical return on the number of valid requests on hand at the beginning of each quarter, for predominately personal information. The Office of the Australian Information Commissioner has asked agencies to classify a request as being for "predominantly personal information" where personal information is the predominant kind of information sought, and for this purpose "personal information" includes both an applicant's own information and information about other individuals. The department keeps statistics on this basis to facilitate this reporting.

Where a decision is made on a request for a person's file, parts of that file may be exempt from release under the *Freedom of Information Act 1982*. Those exemptions may apply to the applicant's own personal information in that file and/or to other information. It would be an unreasonable diversion of resources for the department to review all of these decisions to determine in each case whether exemptions applied to the applicant's own personal information or to other information.

- c) Any office or any staff member in the department may release to a person their own file outside of the FOI process. It would be an unreasonable diversion of resources to investigate how many times a file has been released to a person outside the FOI Act.