

Senate Community Affairs Legislation Committee

SUPPLEMENTARY BUDGET ESTIMATES – 23-24 OCTOBER 2014 ANSWER TO QUESTION ON NOTICE

Department of Human Services

Topic: Freedom of Information – number of requests for own file

Question reference number: HS 32

Senator: Cameron

Type of question: Written

Date set by the committee for the return of answer: 12 December 2014

Number of pages: 2

Question:

For each month of 2013-14, 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.

Month	Number of FOI requests for personal information
July 2013	322
August 2013	361
September 2013	358
October 2013	367
November 2013	333
December 2013	251
January 2014	323
February 2014	394
March 2014	397
April 2014	355
May 2014	385
June 2014	384

- 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 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 calculate how many times a file has been released to a person outside the FOI Act.