

**Senate Standing Committee on Economics**

**ANSWERS TO QUESTIONS ON NOTICE**

**Treasury Portfolio**

Additional Estimates

26 February 2014

**Question: AET 3383-3418**

**Topic: Freedom of Information (CALDB)**

**Written: 5 March 2014**

**Senator LUDWIG asked:**

3383. Can the department please outline the process it under goes to access Freedom of Information requests?
3384. Does the department consult or inform the Minister when it receives Freedom of Information requests?
- If so, when?
  - If so, how does this occur?
3385. Does the department consult or inform other departments or agencies when it receives Freedom of Information requests?
- If so, which departments or agencies?
  - If so, when?
  - If so, how does this occur?
3386. Does the department consult or inform the Minister when or before it makes a decision on a Freedom of Information request?
- If so, when?
  - If so, how does this occur?
3387. Does the department consult or inform other departments or agencies when or before it makes a decision on a Freedom of Information request?
- If so, which departments or agencies?
  - If so, when?
  - If so, how does this occur?
3388. What resources does the department commit to its Freedom of Information team?
3389. List the staffing resources by APS level assigned solely to Freedom of Information requests
3390. List the staffing resources by APS level assigned indirectly to Freedom of Information requests
3391. Does the department ever second addition resources to processing Freedom of Information requests?
- If so, please detail those resources by APS level
3392. How many officers are currently designated decision makers under the Freedom of Information Act 1982 within the department?
- How does this differ to the number of officers designated as at 6 September 2013?
3393. How many officers are currently designated decision makers under the Freedom of Information Act 1982 within the Minister's office?

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- a. How does this differ to the number of officers designated as at 6 September 2013?
3394. Of the officers that are designated decision makers under the Freedom of Information Act 1982 within the Ministers office, how many are seconded officers from the department?
3395. What training does the department provide to designated decision makers under the Freedom of Information Act who work within the department?
- a. Of the officers designated as decision makers within the department, how many have received formal training?
- b. Of the officers designated as decision makers within the department, how many have received informal training?
- c. How long after each officers appointment as a designated decision maker did they receive formal training?
- d. What did the training involve?
- e. How long was the training?
- f. By whom was the training conducted?
3396. What training does the department provide to designated decision makers under the Freedom of Information Act who work within the Minister's office, excluding those officers on secondment from the department?
- a. Of the officers designated as decision makers, how many have received formal training?
- b. Of the officers designated as decision makers, how many have received informal training?
- c. How long after each officers appointment as a designated decision maker did they receive formal training?
- d. What did the training involve?
- e. How long was the training?
- f. By whom was the training conducted?
3397. Since 7 September 2013, how many Freedom of Information requests been shown or alerted to the Minister or their office?
- a. List those notified request
- b. How many instances were each of this requests brought to the office or the Minister's attention?
- c. How many of these items resulted in a separate formal brief being provided to the Minister?
- d. How many of these items resulted in a separate informal briefing (including by email) being provided to the Minister?
- e. How many requests have resulted in multiple formal briefs being provided to the Minister or their office?
- f. How many requests have resulted in multiple informal briefs (including by email) being provided to the Minister or their office?
3398. Does the department provide FOI PDFs for download on their website?
3399. If not, what is the cost associated with staffing to require monitor email and collate and forward requested FOI documents?

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3400. How does the department test it is complying with accessibility standards for its websites?
3401. Does the department comply with accessibility standards for all its websites?
3402. What would be the effect on the accessibility rating of the department's website if FOI PDFs were provided on the department websites?
3403. What accessibility testing of the website was done and what were the points of failure prior to this change in access for FOI documents?
3404. Have the website accessibility standards been solely or partly responsible for not putting FOI PDF documents on the department websites?
3405. How does the department facilitate anonymous access to the FOI disclosure files?
3406. How many times were the last 20 FOI requests PDFs which were made available on the website downloaded? How often have the FOI requests only available by email request been sent?
3407. How long does it take to requests for disclosed FOI files to be processed? What was the average turn around from request to sending of files in the last 3 months?
3408. What was the content of communications with other departments about the website accessibility standards and FOI PDFs?
3409. Where did advice concerning the website accessibility certification and provision of PDFs come from and what was the content of that advice?
3410. Does the department consider that not providing direct download of PDFs is more accessible for people with disabilities and the general public than providing the links?
3411. What efforts have been made to make FOI PDFs accessible to members of the public who have disabilities?
3412. Has advice from the information commissioner been sought regarding providing FOI requests available by email request only?
3413. Has any disability advice group or consultant been contacted regarding making the FOI requests accessible to people with disabilities?
3414. Is this compatible with the information commissioners guidelines- specifically that "published information should be accessible — in particular, it should comply with an agency's obligation to meet the Web Content Accessibility Guidelines (Version 2)"
3415. How does email PDF provision meet the information commissioner's requirement that "13.124 Information that forms part of the IPS must be published 'to members of the public generally'"?
3416. Is not providing the FOI PDFs on the website a means of avoiding not conforming to the WCAG 2.0 or other guidelines?
3417. Does the department have a separate email address or inbox for receiving and responding to FOI requests?
  - a. If so, list each email account
  - b. List the officers who can assess and reply from those separate accounts, broken down by staffing classification level
3618. Do FOI officers ever receive or respond to applicants from their individual email account as opposed to from a central account?

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- a. If so, how does the officer distinguish between communication related to their task as a decision maker and their primary work task ?
- b. How do FOI decision makers that receive emails related to FOI decisions in their normal work capacity distinguish these emails from FOI decision emails?

#### Answer:

3383. None ever received. It is not cost effective for an entity such as the CALDB with one staff member to undertake this until there is an FOI request
3384. N/A. None ever received.
3385. N/A None ever received.
3386. N/A None ever received.
3387. N/A. None ever received.
3388. No team exists (CALDB has 1 staff member only). Any FOI requests would be dealt with by that staff member. No such requests have been received. It is not cost effective for an entity such as the CALDB with one staff member to commit resources until there is until there is an FOI request
3389. None, CALDB has only 1 staff member at EL2 level.
3390. One, the sole CALDB staff member (EL2) would undertake this role if any FOI requests were received.
3391. No secondments from CALDB
3392. None within CALDB.
3393. N/A. Not known to CALDB .
3394. N/A. Not known to CALDB.
3395. N/A No designated officers within CALDB. . It is not cost effective for an entity such as the CALDB with one staff member to provide this training until there is an FOI request
3396. N/A. Not known to CALDB
3397. None received therefore none shown or alerted to the Minister or their office
3398. No. CALDB has received no FOI requests therefore none on its website
3399. Monitoring is undertaken by the Board's sole staff member at no incremental cost
3400. The content management system for the CALDB website is managed by ASIC IT.

Accessibility testing is now a standard part of ASIC IT's testing procedures when developing browser-based applications, for instance websites. An automated accessibility tool is used to test technical compliance with W3C standards.

In addition, the ASIC web publishing team is available to provide advice to CALDB about content preparation techniques for accessibility compliance. When preparing website content the ASIC web publishing team uses accessibility techniques to ensure that content can be meaningfully understood by users with assistive technology. Applications such as Jaws, and automated checkers are also used to test selected pages. The web publishing team regularly attend accessibility training and conferences. One member of the team has completed a formal university course in accessibility.

ASIC currently has a project to re-platform the entire [asic.gov.au](http://asic.gov.au) website, CALDB and other websites to a new content management system to facilitate compliance with accessibility guidelines WCAG 2.0

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to AA level. The new CALDB website is based on content templates that have been tested for accessibility by Vision Australia in April 2014.

3401. The CALDB website, while being generally accessible, currently does not comply with W3C accessibility guidelines WCAG 2.0 to AA level.
- As part of the ASIC website re-platforming project, the CALDB website is being transferred to new content templates that will facilitate WCAG 2.0 AA compliance. The new website is expected to go live in late 2014
3402. To date CALDB has not received an FOI request. In future if CALDB were to publish any FOI-related information in PDF it would still not comply with the relevant accessibility standards. The WCAG 2.0 accessibility guidelines require that content also has to be provided in an alternative format (such as HTML, word etc) to enable compliance. Given that the CALDB website currently doesn't comply with WCAG 2.0 the addition of FOI PDFs would not have an impact on its accessibility rating.
3403. In-house accessibility testing has identified in the following key accessibility issues with the CALDB site:
- Links in left navigation are not labelled
  - No heading tags are used coded - All heading text is styled using <font> tags.
  - No tables have headers coded. This doesn't matter for layout tables, however should be used in data tables on 'Members' and 'Decisions' pages should be coded.
  - Links in text are identified only by colour where they appear in text. Underline appears on hover, but not on keyboard focus.
  - Colour contrast of links on hover is not sufficient to conform to WCAG 2.0 AA.
  - There are no skip to content links.
  - All pages have the same title 'Companies Auditors and Liquidators Disciplinary Board' apart from the 'Contact us' form page (second level down).
  - 'Click here' links are used in text.
  - There are many links that open a PDF file and no warning is given of different file format.
  - Only way to reach pages is using left navigation.
3404. Accessibility is not the reason for FOI pdfs not being published on the website. The reason is that CALDB has yet not received an FOI request.
3405. Not know to CALDB. ASIC is responsible for this.
3406. There are no FOI requests received therefore there are none on the website and none downloaded.
3407. N/A as none on website because none received
3408. None
3409. The Australian Government Information Management Office (AGIMO) has indicated the following:
- "PDF does not yet have approved Sufficient Techniques to claim WCAG 2.0 conformance, so it cannot be 'relied upon' in the provision of government information. At least one other format must be provided with all PDF documents. AGIMO review this position when formalised Sufficient Techniques become available for PDF."

Source: [Australian Government webguide](#)

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3410. Accessibility is not the reason for FOI pdfs not being published on the website. The reason is that CALDB has yet not received an FOI request.
3411. No efforts have been made as CALDB has not yet received any FOI requests. . It is not cost effective for an entity such as the CALDB with one staff member to undertake this until there is an FOI request
3412. No. Until An FOI request is received it is not cost effective for an entity such as the CALDB with one staff member to use its resources to explore this
3413. No
3414. N/A no FOI requests received by CALDB. . It is not cost effective for an entity such as the CALDB with one staff member to undertake the work necessary to do this until there is an FOI request
3415. N/A No FOI Requests received by CALDB. . It is not cost effective for an entity such as the CALDB with one staff member to comply with this until there is an FOI request
3416. No as no FOI requests received by CALDB. . It is not cost effective for an entity such as the CALDB with one staff member to comply with this until there is an FOI request
3417. No (a) N/A (b) N/A. . It is not cost effective for an entity such as the CALDB with one staff member to establish separate FOI email addresses until there has been an FOI request
3418. CALDB does not have a designated FOI officer and no FOI requests have been received by CALDB through any source. (a) None Received. (b) None received.