

Senate Standing Committee on Education and Employment - Education

**QUESTIONS ON NOTICE
Budget Estimates 2014-2015**

Cross Portfolio

Department of Education Question No. ED0184_15

Senator Ludwig provided in writing.

Question

Dept & all agencies: Freedom of Information Act (the Act): Consultations with other Departments, Agencies and the Minister

The following questions relate to requests made pursuant to the Freedom of Information Act (the Act): Consultations with other Departments, Agencies and the Minister

1. 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? If so, for each instance provide a table setting out the following information: a) The Department or Agency which was consulted; b) The document; c) The purpose of the consultation; d) 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; e) 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

2. 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? If yes, provide a table setting out the following information: a) The requests with respect to which the Minister or Ministerial office was consulted; b) The Minister or Ministerial office which was consulted; c) The purpose of the consultation; d) 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; e) 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 f) Whether any briefings (including formal briefs, email briefings and verbal briefings) were provided to the Minister's office

Answer

Department of Education

1. The department does not keep statistics on consultations with other departments or agencies. However, in circumstances where certain documents falling within the scope of an FOI request have originated from another government agency or the subject matter of the documents relate to the functions or activities of an agency, the department will typically consult with the agency on those documents before any decision on access is made.
2. The department does not keep statistics on consultations with the Minister or Minister's office. The department routinely reports to the Minister on FOI requests received that relate to the Minister's portfolio responsibilities.

Australian Institute of Aboriginal and Torres Strait Islander Studies

1. No.

2. No

Tertiary Education Quality and Standards Agency

1. TEQSA transferred the only request for information that it received to the Department under s16(1) of the FOI Act.

2. No.

Australian Research Council

1. No

2. No

Australian Curriculum, Assessment and Reporting Authority

1. ACARA did not consult with any party (including the Minister and the Department) under the FOI Act in the 2013/14 financial year and has not done so in the current financial year (as at 4 July 2014). ACARA from time to time, provides information to the Minister or his office on specific FOI matters

2. As above.

Australian Institute for Teaching and School Leadership

The FOI act does not apply to AITSL.