

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
BUDGET ESTIMATES 2014

Prime Minister and Cabinet Portfolio

Department/Agency: Australian Public Service Commission

Outcome/Program: Cross Portfolio

Topic: Freedom of Information

Senator: Ludwig

Question reference number: 344

Type of question: Written

Date set by the committee for the return of answer: 11 July 2014

Number of pages: 3

Question:

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?
2. If so, for each instance provide a table setting out the following information:
 1. The Department or Agency which was consulted;
 2. The document;
 3. The purpose of the consultation;
 4. 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;
 5. 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
3. 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?
4. If yes, provide a table setting out the following information:
 1. The requests with respect to which the Minister or Ministerial office was consulted;
 2. The Minister or Ministerial office which was consulted;
 3. The purpose of the consultation;
 4. 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;
 5. 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
 6. Whether any briefings (including formal briefs, email briefings and verbal briefings) were provided to the Minister's office

Staffing resources

The following questions relate to the period from 18 September 2013:

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1. For the period of time from 18 September 2013, what was the average FTE is allocated to processing FOI requests?

FOI Disclosure Log

1. For the purposes of meeting its obligations under 11C of the Act, does the Department or Agency:

1. Maintain a webpage allowing download of documents released under section 11A (direct download)?

2. Require individuals to contact the Department or Agency to ask for the provision of those documents (request for provision)?

3. Facilitate to those documents in a different manner (if so, specify).

2. If the Department or Agency has moved from a system of meetings its 11C obligations by direct download, to a system of meeting those obligations by request for provision, provide the following information:

1. The dates for which documents were made available for direct download, and the dates for which documents were made available through request for provision;

2. The total number of direct downloads of documents released under 11A the Departmental or Agency website;

3. The total number of requests for provision to documents that had been directly received, and how many had been processed by Friday 6 June 2014?

4. What was the average FTE allocated to monitoring incoming email, collating and forwarding documents providing under a request for provision?

1. What was the approximate cost for salaries for the FTE staff allocated to this task?

3. Has the Department or Agency charged any for access to a document under section 11C(4)?

4. If so, please provide the following information in a table:

1. On how many occasions charges have been imposed;

2. The amount charged for each document

3. The total amount charged;

4. What is the highest charge that has been imposed.

Answer:

Consultations with other Departments, Agencies and the Minister

1. From time to time, the Commission consults other agencies about FOI requests received by the Commission.

2. The data required to respond to this question fully is not readily available and an unreasonable diversion of resources would be required to compile it.

3. Yes. Since 6 September 2013, the Australian Public Service Commission has consulted a staff member of the Minister's office about one request and informed the Minister about two other requests.

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4. 5 and 6

Request with respect to which the Minister's office was consulted	
Subject of request	The request was for documents relating to a decision made by the Australian Public Service Commissioner in accordance with his statutory functions. The request included within its scope correspondence between the FOI applicant and a staff member in the office of the Minister Assisting the Prime Minister for the Public Service.
Ministerial office consulted	Member of staff of the Minister Assisting the Prime Minister for the Public Service
Purpose of consultation	The purpose of the consultation was to ensure that the FOI decision-maker was aware of all relevant considerations before reaching a decision. The staff member had no objection to release of the material under the FOI Act and the material was subsequently released.
Extension of time	No extension of time was sought from the applicant or the Information Commissioner for the purpose of the consultation.
Briefing	The staff member in the Minister's office was informed by email about the purpose of the consultation.

Staffing resources

1. The data required to respond to this question fully is not readily available and an unreasonable diversion of resources would be required to compile this data ahead of the regular FOI reporting cycle.

The Commission does not have a dedicated FOI Team. The Commission has a Legal Services Team comprising one Executive Level 2 employee and one Executive Level 1 employee. The duties of the Legal Services Team include supporting and coordinating the handling of the Commission's FOI requests.

FOI Disclosure Log

1.
 1. No.
 2. Yes
 3. No but requests for provision of the documents in a specified format or manner would be considered.
2. Not applicable. The Commission has never made documents released under the FOI Act available for direct download
3. No.
4. Not applicable.