

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates Hearing 26 May- 5 June 2014

Prime Minister and Cabinet Portfolio

Department/Agency: Office of the Inspector-General of Intelligence and Security

Outcome/Program: Outcome 1

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:
 - 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
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:
 - 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

Staffing resources

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

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:

- a) Maintain a webpage allowing download of documents released under section 11A (direct download)?
- b) Require individuals to contact the Department or Agency to ask for the provision of those documents (request for provision)?
- c) 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:

- a) The dates for which documents were made available for direct download, and the dates for which documents were made available through request for provision;
- b) The total number of direct downloads of documents released under 11A the Departmental or Agency website;
- c) 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?
- d) What was the average FTE allocated to monitoring incoming email, collating and forwarding documents providing under a request for provision?
- e) 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:

- a) On how many occasions charges have been imposed;
- b) The amount charged for each document
- c) The total amount charged;
- d) What is the highest charge that has been imposed.

Answer:

Consultations with other Departments, Agencies and the Minister

1. Not applicable. OIGIS is an exempt agency for FOI purposes.
2. Not applicable
3. Not applicable
4. Not applicable

Staffing resources

1. The Inspector-General has a specific role under the FOI Act to provide specialist evidence to the Information Commissioner and the Administrative Appeals Tribunal (AAT) in certain cases. If requested by the Information Commissioner or the AAT, the Inspector-General personally must give evidence in certain FOI matters. When such a request is received the Inspector-General may task other staff to assist in preparing such evidence. OIGIS has no staff assigned solely to FOI requests.

Some time of an SES Band 1 and an EL2 officer is involved in assisting the Inspector-General in preparing evidence. The work load varies depending on how many cases the Inspector-General is called in. OIGIS does not second additional resources to process FOI requests. From 18 September 2013 to 30 May 2014 the average FTE to undertake this role was approximately 0.4, excluding the time of the Inspector-General.

FOI Disclosure Log

1. Not applicable
2. Not applicable
3. Not applicable
4. Not applicable