

Senate Standing Committee on Finance and Public Administration

ANSWERS TO QUESTIONS ON NOTICE

Department of the Senate

Supplementary Budget Estimates

18 – 21 November 2013

Question: 55

Topic: Freedom of Information

Written: 26 November 2013

Senator LUDWIG asked:

1. Can the department please outline the process it undergoes to access Freedom of Information requests?
2. Does the department consult or inform the Minister when it receives Freedom of Information requests?
 - a) If so, when?
 - b) If so, how does this occur?
3. Does the department consult or inform other departments or agencies when it receives Freedom of Information requests?
 - a) If so, which departments or agencies?
 - b) If so, when?
 - c) If so, how does this occur?
4. Does the department consult or inform the Minister when or before it makes a decision on a Freedom of Information request?
 - a) If so, when?
 - b) If so, how does this occur?
5. Does the department consult or inform other departments or agencies when or before it makes a decision on a Freedom of Information request?
 - a) If so, which departments or agencies?
 - b) If so, when?
 - c) If so, how does this occur?
6. What resources does the department commit to its Freedom of Information team?
7. List the staffing resources by APS level assigned solely to Freedom of Information requests
8. List the staffing resources by APS level assigned indirectly to Freedom of Information requests
9. Does the department ever second additional resources to processing Freedom of Information requests?
 - a) If so, please detail those resources by APS level.
10. How many officers are currently designated decision makers under the *Freedom of Information Act 1982* within the department?

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- a) How does this differ to the number of officers designated as at 6 September 2013?
11. How many officers are currently designated decision makers under the *Freedom of Information Act 1982* within the Minister's office?
- a) How does this differ to the number of officers designated as at 6 September 2013?
12. 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?
13. What training does the department provide to designated decision makers under the *Freedom of Information Act 1982* 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?
14. What training does the department provide to designated decision makers under the *Freedom of Information Act 1982* 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?

Answer:

The department is not subject to the *Freedom of Information Act 1982* as a consequence of the *Parliamentary Service Amendment (Freedom of Information) Act 2013* which received Royal Assent on 28 June 2013.

That Act corrected a recently discovered but unintended consequence of the enactment of the *Parliamentary Service Act 1999*, which inadvertently applied the *Freedom of Information Act 1982* to the department. This Act restored that exclusion from the FOI Act for parliamentary departments and office holders under the *Parliamentary Service Act 1999*.

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Nonetheless, the department confirmed in its 2012-13 Annual Report that it will continue to comply with the spirit of the *Freedom of Information Act 1982* for requests for information on administrative matters.