

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates November 2013

Agriculture

Question: 295

Division/Agency: Office of the Chief Lawyer

Topic: Freedom of Information Requests

Proof Hansard page: 9

Senator LUDWIG asked:

Dr Grimes: There are FOI requests that are currently under consideration in relation to that.

Senator LUDWIG: And they have not been finalised?

Dr Grimes: To the best of my knowledge they have not been finalised, but there are decisions that are pending. If there is any update to that we will provide it to you tomorrow.

Answer:

The department is processing two Freedom of Information requests for incoming government briefing.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates November 2013

Agriculture

Question: 296

Division/Agency: Office of the Chief Lawyer

Topic: Freedom of Information Requests

Proof Hansard page: Written

Senator LUDWIG asked:

1. Can the department please outline the process it under goes 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?

Question: 296 (continued)

Answer:

1. The process for lodging an Freedom Of Information (FOI) request is outlined on the department's website at: www.daff.gov.au/about/accessing-information/foi. All FOI requests are managed in accordance with the *Freedom of Information Act 1982*, Guidelines issued by the Australian Information Commissioner and departmental FOI policies and procedures current at the time of the decision.
2. The minister's office is informed of the department's FOI requests via a monthly report provided by email.
3. The department consults other departments or agencies regarding documents containing material related to their functions. The frequency and requirement for consultation depends on the nature of the request.
4. The minister's office is informed of the decision, timing of release and a draft copy of the documents to be released. This is so the minister's office can prepare for any enquiries or media commentary that might arise once the information is released.
5. See answer to question 3.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates November 2013

Agriculture

Question: 297

Division/Agency: Office of the Chief Lawyer

Topic: Resources for Freedom of Information

Proof Hansard page: Written

Senator LUDWIG asked:

1. What resources does the department commit to its Freedom of Information team?
2. List the staffing resources by APS level assigned solely to Freedom of Information requests
3. List the staffing resources by APS level assigned indirectly to Freedom of Information requests
4. Does the department ever second additional resources to processing Freedom of Information requests?
 - a) If so, please detail those resources by APS level
5. How many officers are currently designated decision makers under the Freedom of Information Act 1982 within the department?
 - a) How does this differ to the number of officers designated as at 6 September 2013?
6. 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?
7. 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?

Answer:

1. There is a Freedom of Information (FOI) Section within the Office of the Chief Lawyer.
2. As at 30 October 2013, the department had three APS 6 officers, and one APS 5 officer in the FOI Section working primarily on FOI requests.
3. None.
4. No.

Question: 297 (continued)

5. All SES officers and eight non-SES officers are authorised to make decisions. Information about authorisations under the FOI Act is available on the department's website at: <http://www.daff.gov.au/about/accessing-information/foi/faq>.

5.(a) There has been no change in the authorisations of departmental officers since this date.

6. An authorisation signed 18 October 2013 authorised two positions within the Minister's office as decision makers under the FOI Act.

6.(a) The previous authorisation was for one position within the Minister's office.

7. None.

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ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates November 2013

Agriculture

Question: 298

Division/Agency: Office of the Chief Lawyer

Topic: Training for Freedom of Information decision makers with the department

Proof Hansard page: Written

Senator LUDWIG asked:

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?

Answer:

In April 2012, prior to the centralisation of Freedom of Information (FOI) decision making within the department, a tailored course for SES and non-SES FOI decision makers was provided by the Australian Government Solicitor.

The department has an online FOI course which is available to all officers in the department. Other formal training courses and on the job training are provided as required.

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Supplementary Budget Estimates November 2013

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Question: 299

Division/Agency: Office of the Chief Lawyer

Topic: Training for Freedom of Information decision makers with the department

Proof Hansard page: Written

Senator LUDWIG asked:

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?

Answer:

The department does not provide training to designated decision-makers within the minister's office. Freedom of Information advice and support is provided as required.