

**Senate Standing Committee on Education Employment and Workplace  
Relations**

**QUESTIONS ON NOTICE  
Budget Estimates 2012-2013**

**Cross Portfolio**

**DEEWR Question No.** EW0060\_13

**Senator Back provided in writing.**

**Question**

**Freedom of Information**

Has the Department/agency received any updated advice on how to respond to FOI requests? What is the total cost to the department to process FOI requests for this financial year to date? How many FOI requests has the Department received for this financial year to date? How many requests have been denied and how many have been granted? Has the department failed to meet the processing times outlined in the FOI Act for any requests? If so, how many and why? Do any of these requests remain outstanding? If so, how many and why? How many conclusive certificates have been issued in relation to FOI requests for this financial year to date?

**Answer**

The department has not received any updated advice on how to respond to FOI Requests. The department has received advice from the then Cabinet Secretary Senator the Hon John Faulkner in April 2009 and from the then Minister for Privacy and Freedom of Information the Hon Brendan O'Connor MP in October 2010, as well as guidelines issued by the Department of Prime Minister and Cabinet and the Office of the Australian Information Commissioner.

The Department has also, from time to time, obtained legal advice in relation to individual FOI applications.

<b>1 July 2011 - 31 March 2012</b>	
Requests on hand as at 30 June 2011 <sup>i</sup>	49
Total requests received	279
<b>Decisions on Access Made</b>	
Full release	134
Partial release	42
Refused	22
<b>Alternative Outcomes</b>	
Withdrawn	91
Transferred	14
Requests on hand as at 31 March 2012	25
<b>Processing Time</b>	
Requests processed within statutory timeframes	303
Requests in which department failed to meet statutory timeframes	0

Conclusive Certificates	
Total conclusive certificates issued <sup>ii</sup>	0
Financials	
Cost to DEEWR (Non staff costs directly attributable to FOI – i.e. paper, postage, travel, external solicitors fees).	\$33,878.02

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<sup>i</sup> The requests on hand figure is the number of valid primary FOI requests which were received in the previous financial year but no primary access decision had been made as at the start of the financial year.

<sup>ii</sup> Under the *Freedom of Information (Removal of Conclusive Certificates and Other Measures) Act 2009*, the power to issue conclusive certificates in the FOI Act and the *Archives Act 1983* was abolished. This came into effect on 7 October 2009.