

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

Supplementary Budget Estimates 2014 - 2015, 22 October 2014

Ref No: SQ14-001443

OUTCOME: 0 - Whole of Portfolio

Topic: Freedom of Information - Consultations with other Departments, Agencies and the Minister

Type of Question: Written Question on Notice

Senator: Ludwig, Joe

Question:

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?

- a) If so, for each instance provide a table setting out the following information:
 - i. The Department or Agency which was consulted;
 - ii. The document;
 - iii. The purpose of the consultation;
 - iv. 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;
 - v. 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

2. 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?

- a) If yes, provide a table setting out the following information:
 - i. The requests with respect to which the Minister or Ministerial office was consulted;
 - ii. The Minister or Ministerial office which was consulted;
 - iii. The purpose of the consultation;
 - iv. 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;
 - v. 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
 - vi. Whether any briefings (including formal briefs, email briefings and verbal briefings) were provided to the Minister's office.

Answer:

1. The Department of Health does not as a matter of course inform other Departments or agencies when a Freedom of Information (FOI) request is received. However, where the Department has possession of documents obtained or created with input from other Departments or agencies consultation in accordance with the *Freedom of Information Act 1982* (FOI Act) may occur.

a) i. to iii.

The Department does not maintain statistical records about the consultations undertaken with other Departments or agencies. Where such consultations are undertaken it is only with those Departments or Agencies relevant to the nature and scope of the request and prior to a decision being made.

iv. and v.

The Department does not routinely request extensions of time from either the applicant or the Information Commissioner to allow time for such consultation.

2. While the Department notifies the Minister's office of each new request, the Department will only consult with the Minister's office where the Department has possession of documents obtained or created with input from the Minister's office.

b) i. to iii.

The Department does not maintain statistical records about any consultations undertaken with the Minister's office. Where such consultations are undertaken it is only where the Department has possession of documents obtained or created with input from the Minister's office and prior to a decision being made.

iv. and v.

The Department does not routinely request extensions of time from either the applicant or the Information Commissioner to allow time for such consultation.

- vi. From 1 July 2014 there were no ministerial briefs provided to the Minister specifically in relation to any FOI requests.