

Senate Standing Committee on Education and Employment

**QUESTIONS ON NOTICE
Budget Estimates 2014-2015**

Agency - Comcare

Department of Employment Question No. EM0324_15

Senator Ludwig provided in writing.

Question

Comcare - FOI requests - consultation with other departments, agencies and the Minister

The following questions relate to requests made pursuant to the Freedom of Information Act (the Act):

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.

Answer

1. Yes
2. Refer to table below
3. Yes
4. Refer to table below.

The data in this table is provided for the period 7 September 2013 to 17 June 2014

2(a) Dept/Agency/ Licensee (L) consulted	2(b) the document/s consulted on	2(c) the purpose of the consultation	2(d) extension sought from applicant		2(e) extension sought from Information Commissioner	
			Granted (Y/N)	Length of extension	Granted (Y/N)	Length of extension
Australian Nuclear Science and Technology Organisation (ANSTO)	Emails, claim documents, investigation reports, performance documents, handwritten meeting notes, training records	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Y	30 days	Y	22 days
Colonial First State (subsidiary of Commonwealth Bank) (L)	Investigation documents, emails	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	N/A*	*The FOI Act allows an additional 30 days for consults with non-govt third parties	Not sought	N/A
Department of Finance	Investigation report and related documents	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Y	10 days	Not sought	N/A
Australian Federal Police	Emails, claim related documents	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Not sought	N/A	Not sought	N/A

John Holland Group (L)	Investigation report and related documents	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	N/A*	*The FOI Act allows an additional 30 days for consults with non-govt third parties	Not sought	N/A
<i>The data in this table is provided for the period 7 September 2013 to 17 June 2014</i>						
2(a) Dept/Agency/ Licensee consulted	2(b) the document/s consulted on	2(c) the purpose of the consultation	2(d) extension sought from applicant		2(e) extension sought from Information Commissioner	
			Granted (Y/N)	Length of extension	Granted (Y/N)	Length of extension
Department of Human Services	Claim related documents	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Y	13 days	Not sought	N/A
Safety, Rehabilitation and Compensation Authority (SRCC)	SRCC Settlement Guidelines	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Not sought	N/A	Not sought	N/A
Australian Federal Police	Claim related documents	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Y	6 days	Not sought	N/A
Colonial First State (L) and Schindler Lifts Australia	Investigation related documents, relevant agency policies and procedures	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Y*	10 days (*In addition to 30 days allowed under the FOI for consults with non-govt third parties)	Not sought	N/A

ANSTO	Claim documents, investigation documents,	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Y	21 days	Not sought	N/A
Commonwealth Scientific and Industrial Research Organisation	Legal documents	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Not sought	N/A	Not sought	N/A

The data in this table is provided for the period 7 September 2013 to 17 June 2014

2(a) Dept/Agency/ Licensee consulted	2(b) the document/s consulted on	2(c) the purpose of the consultation	2(d) extension sought from applicant		2(e) extension sought from Information Commissioner	
			Granted (Y/N)	Length of extension	Granted (Y/N)	Length of extension
Australia Post (L)	Investigation report	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	N/A*	*The FOI Act allows an additional 30 days for consults with non-govt third parties	Not sought	N/A
Department of Foreign Affairs and Trade	Investigation report and related documents	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Y	23 days	Y	22 days (had requested 30 days)
Australian Rail Track Corporation (L)	Investigation Report	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Not sought	N/A	Not sought	N/A
Department of Finance	Legal documents	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Y	30 days	Not sought	N/A
Telstra (L)	Claim related emails	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Not sought	N/A	Not sought	N/A

<i>The data in this table is provided for the period 7 September 2013 to 17 June 2014</i>						
2(a) Dept/Agency/ Licensee consulted	2(b) the document/s consulted on	2(c) the purpose of the consultation	2(d) extension sought from applicant		2(e) extension sought from Information Commissioner	
			Granted (Y/N)	Length of extension	Granted (Y/N)	Length of extension
John Holland Group (L)	Investigation documents	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	N/A*	*The FOI Act allows an additional 30 days for consults with non-govt third parties	Not sought	N/A

<i>The data in this table is provided for the period 7 September 2013 to 17 June 2014</i>							
4(a) the request/s that were consulted on with the Minister or Ministerial Office	4(b) the Minister or Ministerial Office that was consulted	4(c) the purpose of the consultation	4(d) extension sought from applicant		4(e) extension sought from Information Commissioner		4(f) whether any briefings were provided to the Minister's Office
			Granted (Y/N)	Length of extension	Granted (Y/N)	Length of extension	
Request received 17/2/14 that identified emails detailing contact to Minister Abetz (through his LinkedIn Profile) by a claimant	Office of Senator the Hon. Eric Abetz	To seek comments as to whether the documents should be released under the FOI Act (including specific exemptions claimed and why)	Not sought	N/A	Not sought	N/A	Yes – through Comcare's Ministerial Hot Issues Briefs on 21 February and 17 March 2014