

Senate Standing Committee on Education and Employment

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

Agency – Fair Work Commission

Department of Employment Question No. EM1164_15

Senator Ludwig provided in writing.

Question

FWC - FOI Disclosure log

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

The following questions relate to the period from 18 September 2013:

1. For the purposes of meeting its obligations under 11C of the Act, does the Department or Agency:
 - a. Maintain a webpage allowing download of documents released under section 11A (direct download)?
 - b. Require individuals to contact the Department or Agency to ask for the provision of those documents (request for provision)?
 - c. Facilitate to those documents in a different manner (if so, specify).
2. If the Department or Agency has moved from a system of meetings its 11C obligations by direct download, to a system of meeting those obligations by request for provision, provide the following information:
 - a. The dates for which documents were made available for direct download, and the dates for which documents were made available through request for provision;
 - b. The total number of direct downloads of documents released under 11A the Departmental or Agency website;
 - c. The total number of requests for provision to documents that had been directly received, and how many had been processed by [date]?
 - d. What was the average FTE allocated to monitoring incoming email, collating and forwarding documents providing under a request for provision?
 1. What was the approximate cost for salaries for the FTE staff allocated to this task?
 3. Has the Department or Agency charged any for access to a document under section 11C(4)?
 4. If so, please provide the following information in a table:
 - a. On how many occasions charges have been imposed;
 - b. The amount charged for each document
 - c. The total amount charged;
 - d. What is the highest charge that has been imposed?

Answer

- 1(a) The Fair Work Commission's FOI disclosure log webpage allows the public to directly download documents released under section 11A, except for those documents which are covered by (b).
- 1(b) In relation to FOI requests which cover a large numbers of documents, the details of the FOI request are available on the Fair work Commission's FOI disclosure log. This also applies to certain types of documents which are not able to be produced in written form, such as video recordings. In order to

obtain access to the documents, people are asked to email a designated email address seeking access.

- 1(c) Access to documents is provided only in the ways described by 1(a) and 1(b).
- 2(a) Not applicable. The Commission meets its obligations both by direct download and by request for provision, depending upon the number and type of documents. Where the publication of the documents on the website would cause an unreasonable diversion of resources, the documents are made available by request only.
- 2(b) Between 1 April 2014 and 31 October 2014, 107 documents were directly downloaded. Prior to this the Commission did not have the capacity to capture information relating to the number of direct downloads.
- 2(c) No requests of this type have been received since June 2014.
- 2(d) The Commission does not have any staff employed full time in processing FOI applications. Two staff at the APS5 level process FOI requests on an ad hoc basis. The Commission does not record actual time spent by staff in processing FOI requests that are received.
- 2(e) The salary range for APS5 staff at the Commission is \$73,029-\$79,094 per annum.
- 3. No.
- 4. Not applicable