

**Senate Standing Committee on Environment and Communications**

**Answers to Senate Estimates Questions on Notice**

**Supplementary Budget Estimates Hearings November 2013**

**Communications Portfolio**

**Department of Communications**

**Question No: 41**

**Program No. Corporate**

**Hansard Ref: In Writing**

**Topic: Freedom of Information**

**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?
- 6) What resources does the department commit to its Freedom of Information team?
- 7) List the staffing resources by APS level assigned solely to Freedom of Information requests
- 8) List the staffing resources by APS level assigned indirectly to Freedom of Information requests
- 9) Does the department ever second addition resources to processing Freedom of Information requests?
  - a. If so, please detail those resources by APS level
- 10) 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?
- 11) 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?
- 12) 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?

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- 13) What training does the department provide to designated decision makers under the Freedom of Information Act who work within the department?
- Of the officers designated as decision makers within the department, how many have received formal training?
  - Of the officers designated as decision makers within the department, how many have received informal training?
  - How long after each officers appointment as a designated decision maker did they receive formal training?
  - What did the training involve?
  - How long was the training?
  - By whom was the training conducted?
- 14) 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?
- Of the officers designated as decision makers, how many have received formal training?
  - Of the officers designated as decision makers, how many have received informal training?
  - How long after each officers appointment as a designated decision maker did they receive formal training?
  - What did the training involve?
  - How long was the training?
  - By whom was the training conducted?

#### Answer:

- The Department processes all Freedom of Information (FOI) requests in accordance with the *Freedom of Information Act 1982* (the FOI Act) and guidelines issued by the Office of the Australian Information Commissioner.
- It has been the Department's long standing practice to provide, via email, a weekly FOI Status report to the Minister's office and all relevant SES officers in the Department. The Status report provides procedural information: including a summary of requests received; processing status; and due dates.
- The Department consults with other agencies as required under the FOI Act.
  - Various agencies as required by the Third Party consultation arrangements. The Department of the Prime Minister and Cabinet in regard to Cabinet related documents.
  - As required by the FOI processing timeframes stipulated under the FOI Act.
  - By email.
- The Department informs the Minister's office when it makes a decision on an FOI request.
  - At completion of processing a request.
  - By email.
- See answer to question 3.
- Two staff.
- One Executive Level 2 and one Executive Level 1 officer.

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- 8) Estimates of the number of line area staff necessarily involved with elements of the FOI process throughout the year are provided to the OAIC as part of the annual statistical reporting requirements.
- 9) No.
- 10) All SES officers and the Executive Level 2 FOI manager are designated FOI decision makers. However, in practice the Department operates on a centralised FOI decision making model whereby the majority of FOI decisions are made by a small number of staff.
  - a. No change.
- 11) Nil.
- 12) Not applicable.
- 13) The Department offers a range of training opportunities to staff, including specialised FOI courses conducted by the Australian Government Solicitor's office (AGS).
  - a. Decision makers operating under the centralised FOI decision making model have received formal training from AGS. All SES and Executive Level 2 staff have received/been offered FOI training conducted by AGS.
  - b. Not known.
  - c. In the case of the centralised decision makers, training was provided at the time the model was adopted.
  - d. Theory, practical.
  - e. Several single day modules.
  - f. AGS
- 14) Not applicable.