

**Senate Standing Committee on Economics**

**ANSWERS TO QUESTIONS ON NOTICE**

**Treasury Portfolio**

Additional Estimates

26 February 2014

**Question: AET 123-158**

**Topic: Freedom of Information (Tsy)**

**Written: 5 March 2014**

**Senator LUDWIG asked:**

123. Can the department please outline the process it under goes to access Freedom of Information requests?
124. 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?
125. 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?
126. 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?
127. 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?
128. What resources does the department commit to its Freedom of Information team?
129. List the staffing resources by APS level assigned solely to Freedom of Information requests.
130. List the staffing resources by APS level assigned indirectly to Freedom of Information requests.
131. Does the department ever second additional resources to processing Freedom of Information requests?
  - a. If so, please detail those resources by APS level.
132. How many officers are currently designated decision makers under the Freedom of Information Act 1982 within the department?

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- a. How does this differ to the number of officers designated as at 6 September 2013?
133. 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?
134. 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?
135. What training does the department provide to designated decision makers under the Freedom of Information Act who work within the department?
- a. Of the officers designated as decision makers within the department, how many have received formal training?
- b. Of the officers designated as decision makers within the department, how many have received informal training?
- c. How long after each officers appointment as a designated decision maker did they receive formal training?
- d. What did the training involve?
- e. How long was the training?
- f. By whom was the training conducted?
136. 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?
- a. Of the officers designated as decision makers, how many have received formal training
- b. Of the officers designated as decision makers, how many have received informal training?
- c. How long after each officers appointment as a designated decision maker did they receive formal training?
- d. What did the training involve?
- e. How long was the training?
- f. By whom was the training conducted?
137. Since 7 September 2013, how many Freedom of Information requests been shown or alerted to the Minister or their office?
- a. List those notified request.
- b. How many instances were each of this requests brought to the office or the Minister's attention?
- c. How many of these items resulted in a separate formal brief being provided to the Minister?

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- d. How many of these items resulted in a separate informal briefing (including by email) being provided to the Minister?
  - e. How many requests have resulted in multiple formal briefs being provided to the Minister or their office?
  - f. How many requests have resulted in multiple informal briefs (including by email) being provided to the Minister or their office?
138. Does the department provide FOI PDFs for download on their website?
139. If not, what is the cost associated with staffing to require monitor email and collate and forward requested FOI documents?
140. How does the department test it is complying with accessibility standards for its websites?
141. Does the department comply with accessibility standards for all its websites?
142. What would be the effect on the accessibility rating of the department's website if FOI PDFs were provided on the department websites?
143. What accessibility testing of the website was done and what were the points of failure prior to this change in access for FOI documents?
144. Have the website accessibility standards been solely or partly responsible for not putting FOI PDF documents on the department websites?
145. How does the department facilitate anonymous access to the FOI disclosure files
146. How many times were the last 20 FOI requests PDFs which were made available on the website downloaded? How often have the FOI requests only available by email request been sent?
147. How long does it take to requests for disclosed FOI files to be processed? What was the average turnaround from request to sending of files in the last 3 months?
148. What was the content of communications with other departments about the website accessibility standards and FOI PDFs?
149. Where did advice concerning the website accessibility certification and provision of PDFs come from and what was the content of that advice?
150. Does the department consider that not providing direct download of PDFs is more accessible for people with disabilities and the general public than providing the links?
151. What efforts have been made to make FOI PDFs accessible to members of the public who have disabilities?
152. Has advice from the information commissioner been sought regarding providing FOI requests available by email request only?
153. Has any disability advice group or consultant been contacted regarding making the FOI requests accessible to people with disabilities?

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154. Is this compatible with the information commissioners guidelines- specifically that “published information should be accessible — in particular, it should comply with an agency’s obligation to meet the Web Content Accessibility Guidelines (Version 2)”.
155. How does email PDF provision meet the information commissioner’s requirement that “13.124 Information that forms part of the IPS must be published ‘to members of the public generally’”?
156. Is not providing the FOI PDFs on the website a means of avoiding not conforming to the WCAG 2.0 or other guidelines?
157. Does the department have a separate email address or inbox for receiving and responding to FOI requests?
  - a. If so, list each email account
  - b. List the officers who can assess and reply from those separate accounts, broken down by staffing classification level.
158. Do FOI officers ever receive or respond to applicants from their individual email account as opposed to from a central account?
  - a. If so, how does the officer distinguish between communication related to their task as a decision maker and their primary work task?
  - b. How do FOI decision makers that receive emails related to FOI decisions in their normal work capacity distinguish these emails from FOI decision emails?

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#### Answer:

123. The Treasury processes all Freedom of Information (FOI) requests in accordance with the *Freedom of Information Act 1982* having regard to the Office of the Australian Information Commissioner Guidelines and decisions.
124. No.
125. No.
126. No.
127. No.
128. There is no dedicated FOI Unit with Treasury. The Parliamentary and Legal Services Unit (PLSU) is responsible for coordinating and processing FOI requests as part of normal functions.
129. No staff are assigned solely to processing FOI requests.
130. As at 5 March 2014, there were 2 x EL2 officers, 3 x EL1 officers, 1 x APS 6 officer, 3 x APS5 officers, 1 x APS 4 officer and 4 x APS 3 officers who assist on a part-time basis with coordinating and processing FOI requests as part of their normal duties.
131. No.
132. All Treasury SES officers have the authority to act as designated Decision Makers if required. This was the case on 6 September 2013.
133. As at 5 March 2014, there were five designated decision makers across four Ministerial offices. On 6 September 2013, there were four designated decision makers across three Ministerial offices.
134. 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? None.
135. While there is no formal training provided to decision makers, the Parliamentary and Legal Services Unit provides assistance and guidance to decision makers. The Treasury has also organised internal seminars on the FOI Act, Information Commissioner guidelines and cases. The FOI Act, Information Commissioner guidelines and PM&C FOI guidance notes are also made available via the Treasury intranet.
136. Treasury does not provide any formal training to decision makers in the Minister's office. However, Treasury provides briefings to the Minister's office on the operation of the FOI Act and the assistance that can be provided by the department when requests are received by a Minister.
137. Refer to AET 124.
138. Yes.
139. Not applicable.

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140. Treasury uses a combination of manual accessibility testing by trained staff, the use of browser based tools such as Vision Australia's Accessibility Toolbar, and engagement of external consultants to test websites.
141. Treasury is progressively working towards accessibility compliance for all of its websites.
142. Not applicable. Refer AET 138.
143. Refer to answer to question 140 regarding testing. Not applicable as there has been no change in access for FOI documents.
144. Not applicable, refer to AET 123.
145. Not applicable, refer to AET 123.
146. Refer to AET 123. Information on the number of downloads for a specific item is not available.
147. Not applicable, refer to AET 123.
148. None. The department refers to the Australian Government's Web Guide ([webguide.gov.au](http://webguide.gov.au)) for advice on website accessibility standards.
149. Refer to AET 148.
150. Not applicable, refer to AET 123.
151. Refer to AET 123.
152. Not applicable, refer to AET 123.
153. No.
154. Refer to AET 148.
155. Not applicable, refer to AET 123.
156. Not applicable, refer to AET 123.
157. Yes.
  - a. [foi@treasury.gov.au](mailto:foi@treasury.gov.au)
  - b. All officers in the Parliamentary and Legal Services Unit that work on FOI requests.
158. No.
  - a. Decision makers do not communicate by email with FOI applicants. All emails to FOI applicants are sent via the [foi@treasury.gov.au](mailto:foi@treasury.gov.au) email address.
  - b. Part of an SES officer's normal work duties include decision making on FOI requests.