

**Economics Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
Industry Portfolio  
Supplementary Budget Estimates Hearing 2013-14  
21 November 2013

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**AGENCY/DEPARTMENT:** DEPARTMENT OF INDUSTRY

**TOPIC:** Freedom of Information

**REFERENCE:** Written Question – Senator Ludwig

**QUESTION No.:** SI-189

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?
13. 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?
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?
- 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?

## **ANSWER**

1. FOI applicants are able to make requests by email via the Department's FOI email address (foi@industry.gov.au). If FOI requests are received by the Department via alternative means (for example, by mail) the requests are provided to the Department's FOI team for processing. Information about the way in which applicants are able to make FOI requests, and information about the FOI process more generally, is available on the Department's website.
2. The Department does not consult or inform the Minister when it receives an FOI request. The Department provides the Minister's office with a fortnightly status report on FOI applications received by the Department.
3. When it receives FOI requests the Department may consult with other relevant agencies as required on a case by case basis.
4. The Department does not consult or inform the Minister before it makes a decision on FOI requests which have been received by the Department.
5. The Department does not consult or inform other departments or agencies, as a matter of course, when or before its makes a decision on a FOI request. The Department advises other agencies as required on a case by case basis.
6. The Department reports annually to the Office of the Australian Information Commissioner (OAIC) regarding the resources which it commits to its FOI team. Further information can be obtained from the OAIC Annual Report. Information about the staffing resources committed to the processing of FOI are set out in response to questions 7 and 8 below.

7 and 8.

<b>APS Level</b>	<b>Assigned solely to Freedom of Information requests</b>	<b>Assigned indirectly to Freedom of Information requests</b>
APS 5	1 F/T x approximately 50%	N/A
EL1	1 F/T x 100%; 1 P/T x 100%	N/A
EL 2	1 F/T x approximately 50%	N/A
SES Band 1	1 F/T x approximately 10%	N/A
All departmental SES	N/A	All departmental SES are authorised decision makers under the FOI Act.

9. The Department does not routinely second additional resources to processing FOI requests.
10. All SES level employees within the Department are currently designated decision makers under the FOI Act.
  - a) There has been no change in designated decision makers within the Department under the FOI Act as at 6 September 2013.
11. There has not been a need for a designated decision maker within the Minister's office therefore there are currently no designated decision makers under the FOI Act within the Minister's office.
  - a) There has been no change in designated decision makers under the FOI Act within the Minister's office as at 6 September 2013.
12. Not applicable.
13. The Department's FOI team provides ad-hoc training to designated decision makers under the FOI Act as required. Training is consistent with guidance material provided by OAIC.

<b>No. of officers received formal training</b>	<b>No. of officers received in-formal training</b>	<b>Timeframe of training provided from appointment</b>	<b>What did the Training involve</b>	<b>How long was the training</b>	<b>Who conducted the training</b>
Statistics unavailable	Statistics unavailable	Training is provided when applicable, generally in conjunction with the first FOI request for which the officer is responsible.	The training involves an outline of the FOI Act, the responsibilities of agencies, officials and authorised decision makers, conditional and unconditional	Generally 30-60 minutes initial formal training. Informal training is provided on an as-needs basis during the processing of FOI requests	The Department's FOI team

			exemptions and the public interest test.	and is unlimited in length.	
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14. As set out in response to question 11 there are currently no designated decision makers under the FOI Act within the Minister's office. Any training that may be required by relevant officers within the Minister's office is provided by the Department's FOI team on an ad-hoc basis.