

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
BUDGET ESTIMATES 2011-2012

Prime Minister and Cabinet Portfolio

Department/Agency: Office of the Commonwealth Ombudsman

Outcome/Program: Office of the Commonwealth Ombudsman

Topic: Freedom of Information

Senator: Senator Ryan

Question reference number: 91

Type of question: Written

Date set by the committee for the return of answer: Friday, 30 March 2012

| **Number of pages:** 2

Questions:

1. Has the Department/agency received any advice on how to respond to FOI requests?
2. What was the total cost to the department to process FOI requests for 2009-10 and 2010-11?
3. What is the total cost to the department to process FOI requests for this financial year to date?
4. How many FOI requests did the Department receive for the financial year 2009-10 and 2010-11? For each financial year, how many requests were denied and how many were granted? Did the department fail to meet the processing times outlined in the FOI Act for any requests? If so, how many? Do any of these requests remain outstanding?
5. How many FOI requests has the Department received for this financial year to date? How many requests have been denied and how many have been granted? Has the department failed to meet the processing times outlined in the FOI Act for any requests? If so, how many? Do any of these requests remain outstanding?
6. How many conclusive certificates have been issued in relation to FOI requests for this financial year to date?

Answer:

1. Yes. Legal advice; advice and guidelines issued by the Office of the Australian Information Commissioner refer <http://www.oaic.gov.au/publications/guidelines.html>; FOI Guidance notes issued by Department of Prime Minister and Cabinet refer http://www.dpmmc.gov.au/foi/guidance_notes.cfm; FOI Guidelines issued by

Department of Prime Minister and Cabinet refer
<http://www.dpmc.gov.au/foi/guidelines.cfm>.

2. As reported in the 2009-2010 annual report by the Minister for Privacy and Freedom of Information to the Parliament on the operation of the operation of the *Freedom of Information Act 1982*, the total cost to the Ombudsman's office for processing FOI requests was \$158,932.

As reported in the 2010-2011 annual report on the *Freedom of Information Act 1982*, the total costs to the Ombudsman's office for processing FOI requests was \$97,870.

3. The cost to the Ombudsman's office to process FOI requests has not been calculated and reported for this period. Costs are reported on an annual basis.
4. This office received 20 requests for the period 2009-2010. Decisions have been made for all requests for the period. No requests were denied. The office did not fail to meet the processing time outlined in the FOI Act in any requests.

This office received 81 requests for the period 2010-2011. Decisions have been made for all requests for the period. Twelve requests were denied. The office failed to meet the processing time outlined in the FOI Act in 19 requests. The office sought and obtained an extension of processing time from the Office of the Australian Information Commissioner in relation to the requests received after 1 November 2010.

5. This office has received 88 requests for the financial year to 31 December 2011. Decisions have been made for all requests for the period. ~~19~~Nineteen requests were denied. The office failed to meet the processing time outlined in the FOI Act in 2 requests. The office sought and obtained an extension of processing time from the Office of the Australian Information Commissioner in relation to these 2 requests.
6. Nil, conclusive certificates were abolished on 7 October 2009.