



Office of the Information Commissioner

Freedom of information for Western Australia



ANNUAL REPORT 2020/21



We acknowledge the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past, present and emerging.

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This annual report and previous annual reports are available on the OIC website and are available in other formats on request.



Office of the
Information Commissioner
Freedom of information for Western Australia

16 September 2021

SPEAKER OF THE LEGISLATIVE ASSEMBLY

PRESIDENT OF THE LEGISLATIVE COUNCIL

ANNUAL REPORT TO 30 JUNE 2021

In accordance with section 63 of the *Financial Management Act 2006* I hereby submit my report for the reporting period ended 30 June 2021.

The annual report has been prepared in accordance with the provisions of the *Financial Management Act 2006* and the reporting requirements of the *Freedom of Information Act 1992*.

A handwritten signature in blue ink that reads "Catherine Fletcher".

Catherine Fletcher
INFORMATION COMMISSIONER

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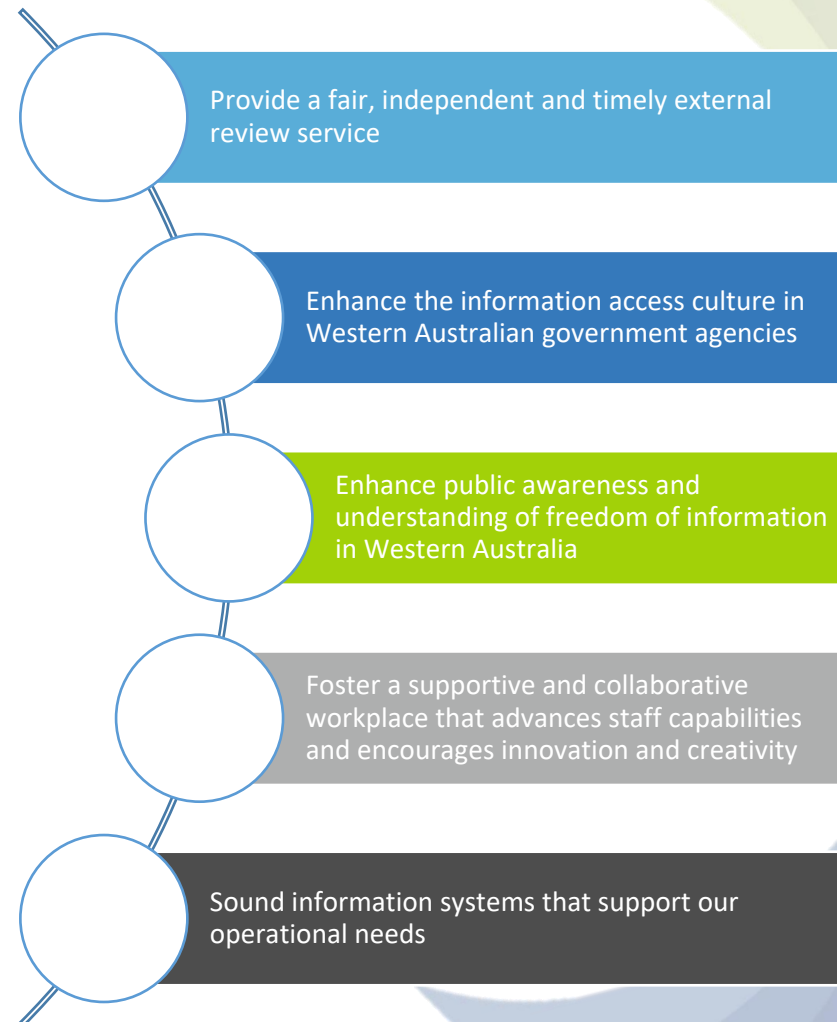
About this report

Welcome to the Office of the Information Commissioner's 2020/21 annual report.

The aim of this annual report is to give a comprehensive overview of our performance during the year, provide insight into the goals and operations of our office and the operation of the *Freedom of Information Act 1992 (WA)* (**the FOI Act**) in Western Australia. The services we deliver are designed to provide an outcome that gives the people of Western Australia access to documents held by WA State and local government agencies, as required by the law, and to provide a mechanism to ensure their personal information is accurate and up-to-date. In addition, we educate agencies on their responsibilities under freedom of information (**FOI**) legislation and provide assistance to the public to help them understand their rights under FOI legislation.

The key message of FOI legislation mirrors the purpose of agency annual reports – greater accountability and transparency. We trust that this report on our activities and performance during the year provides valuable insight into our operations.

Strategic goals



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Overview

What is Freedom of Information?

A legislative right to access government information remains a hallmark of an open, transparent and accountable democracy. The FOI Act gives everyone a legally enforceable right to government documents in Western Australia.

The stated objects of the FOI Act are to enable the public to participate more effectively in governing the State and to make the persons and bodies that are responsible for State and local government more accountable to the public. The FOI Act achieves this primarily by creating a general right of access to State and local government documents and requiring that certain documents concerning State and local government operations be made available to the public. Dealing with requests under the FOI Act is not merely an administrative process but a means of dispensing justice to the people of Western Australia.

In the absence of State privacy legislation in Western Australia, the FOI Act provides a limited mechanism for the protection of government-held personal information from disclosure under the FOI Act and also provides a means to ensure any such personal information is accurate, complete, up-to-date and not misleading.

The FOI Act is supported by the *Freedom of Information Regulations 1993* (WA).

How does it work?

Anyone has the right to lodge an FOI application to WA State and local government agencies and Ministers (collectively referred to as 'agencies') requesting access to documents, or to apply to have their personal information amended if it is incomplete, inaccurate, out-of-date or misleading. Agencies are then obliged to make a decision on access or amendment applications in accordance with the FOI Act.

Role of the Information Commissioner

The office of Information Commissioner (**the Commissioner**) is created by the FOI Act and is appointed by the Governor. The Commissioner is independent of executive government and reports directly to the Parliament and not to, or through, a Government Minister. The Attorney General is the Minister responsible for the administration of the FOI Act, but has no express role under the legislation.

The main function of the Commissioner is to provide independent external review of decisions made by agencies under the FOI Act in respect of applications for access to documents and amendment of personal information. Additional functions include ensuring that agencies and the public are aware of their responsibilities and rights under the FOI Act.

The Commissioner also recommends legislative or administrative changes that could be made to help the objects of the FOI Act to be achieved.

Executive Summary

Information Commissioner's Report



I am pleased to present to Parliament and the community the 28th annual report on the operation of the FOI Act and my office's operations for the 2020/21 reporting period.

Over the past 18 months, with the evolving COVID-19 pandemic across Australia and the world, the importance of timely delivery of transparent and reliable government information and data has become very apparent. It has come to be universally understood as crucial to earning the public's trust and willingness to comply with various policy responses aimed at keeping the community safe and delivering new economic strategies.

The right of access to information in government-held documents is the central plank of most FOI legislation. That right, subject to limited exceptions, has long been recognised as fundamentally important to democracy because it blocks unwarranted and unjustified secrecy by promoting openness and transparency of Government.

My office is an integral part of the FOI system by providing independent review of agency decisions under the FOI Act, and education and advisory services about FOI rights and responsibilities for the community and the public sector.

In support of better access to government information and the promotion of FOI rights, I have had significant involvement

over the last 12 months in the work of the Association of Information Access Commissioners (of Australia and New Zealand) – the AIAC – and the International Conference of Information Commissioners – the ICIC.

My involvement in both the AIAC and the ICIC informs my view as to regional and international best practice concerning access to government information. This helps me to discharge my statutory responsibility to recommend any legislative or administrative changes that could contribute to the objects of the FOI Act being achieved. In keeping with a recommendation made by the Standing Committee on Public Administration in October 2020 that the Attorney General undertake a review of the FOI Act by 2023, my office will soon provide a comprehensive submission supporting such a review to the Attorney General.

The AIAC's *National Dashboard for Utilisation of Information Access Rights (National Metrics)* indicate some interesting trends that compare WA FOI practices to other jurisdictions. In respect of three of the six reported metrics, WA has consistently shown in each period to have the highest rate of use of FOI per capita across all Australian jurisdictions; one of the highest rates of document release, either in full or in part; and the lowest rate of external review by Information Commissioner or Ombudsman.

My office continues to develop resources and deliver training to assist the public sector to understand the obligations and opportunities of providing access to information. In particular this year, eight online learning modules for FOI Coordinators were developed. Going forward, those resources will be supplemented by other online learning modules specifically

aimed at FOI decision-makers. I thank the staff involved for the considerable effort involved in developing these resources, which have the important added benefit of being more widely accessible than the in-person workshops at the OIC offices in the Perth CBD that were previously offered.

Over the next three years my office will be participating in a joint Australian Research Council funded inter-jurisdictional study of FOI culture and administration which will involve a number of WA agencies and individuals involved in the FOI process. The results of this study will inform the future development of OIC training and awareness programs for the public sector.

My staff and I continue to be available upon request for in-person training and information sessions to agencies and community groups. We also maintain a busy advisory service for agencies and the community, providing general information about FOI processes.

Results from the statistics received from agencies this year show there was a 10.7% increase in the number of FOI access applications made compared to the 2019/20 period. The number of FOI access applications received by agencies in the last three years has fluctuated significantly following several years of relative stability: in 2019/20 there was a 4.5% decrease in applications from the previous reporting period, which in itself was an 11.5% increase on the previous reporting period. A considerable proportion of that volatility appears to be in the health sector.

The recent upward trend in FOI access applications made – together with a modest increase in the rate of refusal of

access to documents and a slight decrease in the proportion of agencies making FOI decisions within the statutory time frame – suggests that there is room for improvement in the way the public sector deals with both formal and informal access to information, which will ultimately better serve the public interest in accessing government-held information.

Despite the escalation in applications to agencies over the last 12 months, there was a 3% decrease in the number of valid external review applications made to my office. This small decrease has allowed my office to focus on finalising some older outstanding external reviews. We were able to increase the number of external reviews finalised by 21.6% from last year while maintaining a steady rate of conciliation at 63.9% of all external review matters.

Significantly, in the first full year of operation of the OIC's *Early Intervention Program* that commenced in September 2019, 72.2% of matters actioned within that program were resolved by conciliation as part of the program. However, timeliness for completion of external reviews remains an ongoing concern and a significant area of focus for my office.

Last year my office commenced the implementation of its three year strategic plan for the 2020-2023 period. A new strategic goal was added to ensure the OIC information technology architecture, systems and security will support current operational needs and future initiatives.

This report also outlines a number of collaborative projects across the public sector that my office has been involved in over the last year. As one of the key accountability agencies,

I welcome any opportunity to assist agencies become more transparent through information access.

In conclusion, I wish to acknowledge my dedicated and professional staff and thank them for their ongoing efforts and support for me in my role as the Information Commissioner, and for their service to the Parliament and community of Western Australia.



Catherine Fletcher

Information Commissioner

Office of the Information Commissioner (WA)

2020/21 highlights



161

External reviews received



114

External reviews resolved by conciliation



206

Average age in days of external reviews on hand



1,140

Enquiries answered from members of the public



1,677

Attendees at OIC briefing, training or education sessions



180

External reviews finalised



100

External reviews on hand at the end of the period



12

Published decisions of the Commissioner



445

Enquiries answered from local and State Government



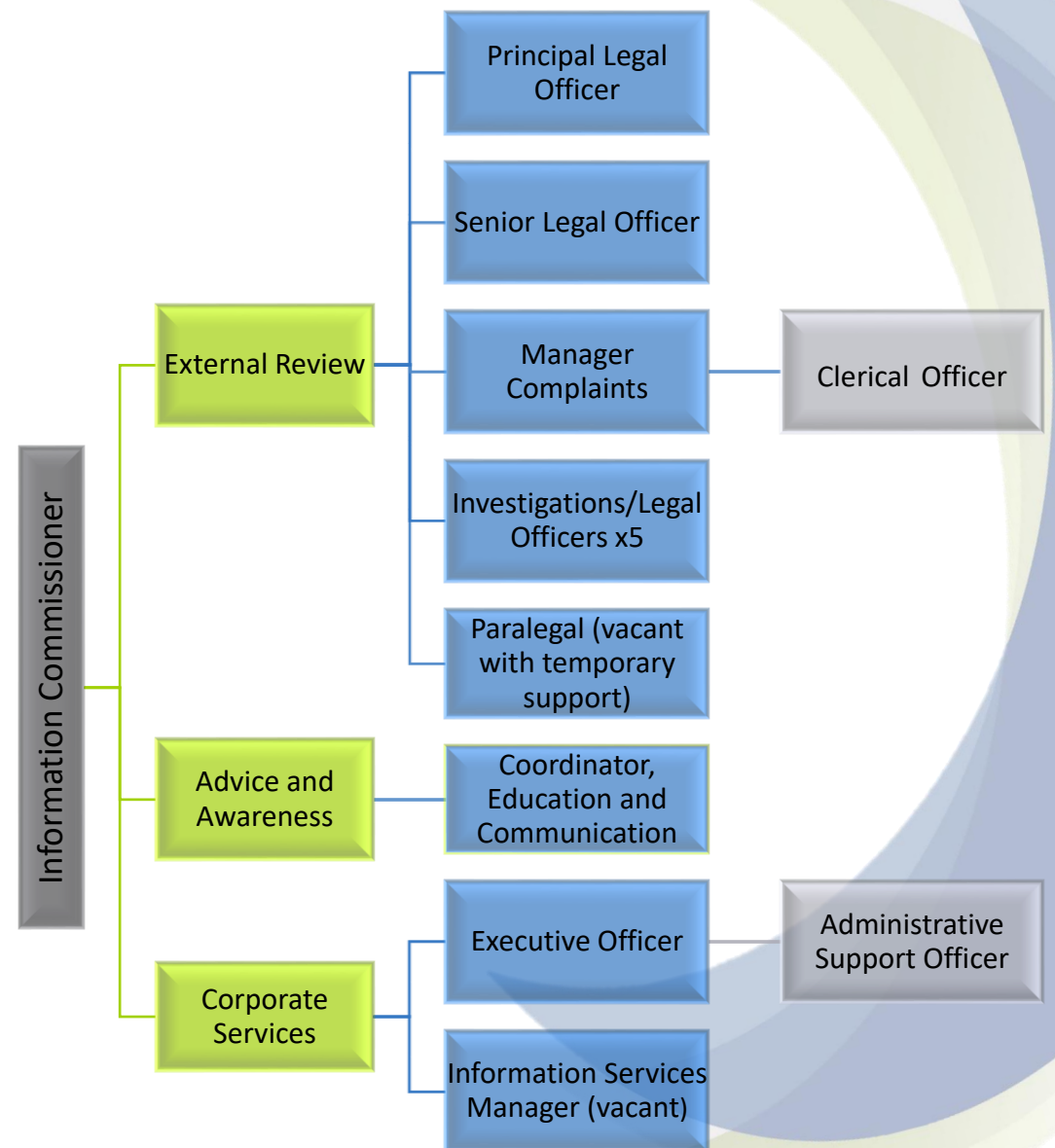
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New online training modules

About the Office of the Information Commissioner

As at 30 June 2021, the Commissioner was supported by 12 staff in the Office of the Information Commissioner (**the OIC**). Three areas operate to assist the Commissioner in meeting the objectives of the FOI Act:

- The *Resolution of Complaints (External Review)* team provide an independent review and resolution process that strives to resolve applications for external review in a timely manner while balancing the competing needs and expectations of applicants, agencies and Parliament within the legislative requirements prescribed by the FOI Act.
- The *Advice and Awareness* team provide objective guidance and information to members of the public and agencies to assist in the proper lodgement and processing of applications under the FOI Act; propose initiatives to enhance efficiency in agency administration when dealing with applications received; and provide briefings and training sessions for agency staff and community organisations.
- *Corporate service* staff provide administrative, executive, information technology and governance support to the Commissioner and staff.



Performance management framework



Resolution of complaints (external review)

Advice and Awareness

Access to documents and observance of processes in accordance with the FOI Act

Strong Communities: safe communities and supported families

The objects of the FOI Act are to enable the public to participate more effectively in governing the State and to make the persons and bodies responsible for State and local government more accountable to the public. These objects promote transparency and accountability in government, a concept that contributes to the broader government goal of building strong communities.

Outcome-based management framework



Resolution of complaints (external review)

Independent external review resolution process

Effectiveness indicators

- Participant satisfaction with external review process
- External reviews resolved by conciliation

Efficiency indicator

Average cost per matter finalised

Advice and Awareness

Objective advice and information on FOI processes to members of the public and agencies

Effectiveness indicator

Satisfaction with the guidance provided

Efficiency indicator

Average cost per matter finalised

The Commissioner is an independent statutory officer. The OIC does not share any responsibilities with other agencies or receive any administrative or corporate support from any department or agency.

The audited performance indicators are described in more detail in the [key performance indicators](#) section of this report.

The relevant legislative framework for FOI legislation in Western Australia and other legislation that the OIC complies with can be found under the [Disclosures and Legal Compliance](#) section of this report.

Administered legislation

- *Freedom of Information Act 1992*
- *Freedom of Information Regulations 1993*

Other key legislation that impacts OIC's activities

- *Auditor General Act 2006*
- *Corruption Crime and Misconduct Act 2003*
- *Disability Services Act 1993*
- *Equal Opportunity Act 1984*
- *Financial Management Act 2006*
- *Industrial Relations Act 1979*
- *Minimum Conditions of Employment Act 1993*

- *Occupational Safety and Health Act 1984*
- *Procurement Act 2020*
- *Public Interest Disclosure Act 2003*
- *Public Sector Management Act 1994*
- *Salaries and Allowances Act 1975*
- *State Records Act 2000*

Operational Performance

Snapshot of financial and operational performance indicators

	Target \$000	Actual \$000	Variation \$000
Total cost of services	2,358	2,341	(17)
Net cost of services	2,354	2,341	(21)
Total equity	717	682	35
Net increase/(decrease) in cash held	(128)	(44)	(84)

See the [Key Performance Indicators](#) and [Financial Statements](#) sections of this report for the OIC's full audited performance indicators and financial reports.

Outcome: Access to documents and observance of processes in accordance with the FOI Act

	Target ⁽¹⁾	Actual	Variation
Resolution of Complaints			
<i>Key effectiveness indicators:</i>			
Participants satisfied with complaint resolution and external review processes	85%	76%	(9%)
Applications for external review resolved by conciliation	70%	63%	(7%)
<i>Key efficiency indicator</i>			
Average cost per external review finalised	\$6,788	\$7,155	\$367
Advice and Awareness			
<i>Key effectiveness indicator</i>			
Agencies satisfied with advice and guidance provided	98%	100%	2%
<i>Key efficiency indicator</i>			
Average cost of service per application lodged	\$324	\$215	(\$109)

(1) As specified in the Budget Statements.

External Review

Strategic Goal: Provide a fair, independent and timely external review service

Provide an efficient and effective early resolution process

- Early Intervention Program further developed.
- 54 matters actioned and 72% finalised by conciliation within the Early Intervention Program.

Provide a fair, timely and effective formal external review process

- Priority templates identified and revised.
- New publication regarding procedural fairness published.
- External review guide updated.
- 21.6% increase in external reviews finalised.
- 63% external reviews finalised by conciliation.
- 76% participant satisfaction with external review process.
- 62% of external reviews finalised resulted in some kind of outcome benefit.

Provide clear decisions, with reasons, to best inform the public

- External review precedent information collated.
- 12 decisions published.
- Preliminary views issued to parties increased by 50.9%.

The main function of the Commissioner is to review decisions made by agencies under the FOI Act.

The performance of this service is measured in two ways: by the satisfaction of participants of an external review with the way in which the external review was conducted; and by the number of external review applications resolved by conciliation.

Detailed performance data on the number of external review applications received and completed, and the number currently on hand and their age, is updated monthly and published on our [website](#). [Table 5](#) provides detail on external review outcomes.

Conciliation

The Commissioner has powers to deal with an external review application in a number of ways including by conciliation, negotiation and compulsory conferences. These are in addition to the power to finalise an external review by issuing a binding determination. The OIC seeks to ensure that the conduct of external review proceedings is not unduly legalistic or formal.

The OIC prefers to negotiate a conciliated outcome between the parties rather than issuing a formal determination. However, the nature of the information requested and the various interests of the parties means that conciliation is not always achievable.

When a new external review is assessed and assigned to an officer (who acts on behalf of the Commissioner under certain delegated powers), consideration is given to any procedural options available to resolve the matter. Those procedural

options may be pursued in the Early Intervention Program or when a matter is otherwise assigned to an officer. In an effort to deal with an external review in a more timely manner, the extent to which those options are pursued may be limited. For example, in the last year it was decided not to convene any formal conciliation conferences.

However, conciliation remains an important element of the external review process and can result either in resolution of the matter or clarification or narrowing of the issues in dispute.

This year's conciliation rate was 63%, below our target of 70%, and 1% less than the rate of 64% achieved last year.

The annual conciliation rate of external reviews finalised is one of the OIC's key performance indicators. Details of the conciliation rate for the past five years are included later in this report.

Conciliation Case Studies

Agency accepts Commissioner's preliminary view and complainant accepts release of edited documents

The complainant applied to the agency for a copy of certain correspondence relating to him between the agency and another organisation. The agency gave the complainant access to most of the documents identified but refused access to two documents on the ground they were exempt under clauses 7(1), 8(1) and 8(2) of Schedule 1 to the FOI Act.

After considering all of the material before her, the Commissioner advised the parties of her preliminary view that the documents were not exempt as claimed by the agency. The agency accepted the Commissioner's preliminary view and gave the complainant access to an edited copy of the documents, claiming the deleted information was exempt under clause 3(1) of Schedule 1 to the FOI Act. The complainant accepted the edited access provided and the matter was resolved.

Complainant discontinues external review following preliminary assessment

The complainant applied to the agency for a copy of a particular submission made by the agency to another government agency. The agency refused access to the document on the ground that it was exempt under clause 6(1) of Schedule 1 to the FOI Act.

The OIC made preliminary inquiries with both parties and obtained further information from the agency in relation to its exemption claim.

After considering the material then before the Commissioner, one of the Commissioner's officers advised the complainant that it was the officer's preliminary assessment that the document was exempt as claimed by the agency. The officer noted that her preliminary assessment was not the Commissioner's final determination.

The complainant did not continue with the external review and the matter was resolved.

Negotiation with all parties

The complainant applied to the agency for all documents comprising the contract for the provision of services between the agency and a third party. The agency identified one document. However, the complainant considered there were additional documents that made up the contract.

The Commissioner considered that the documents relating to the provision of the service also came within the scope of the application. The third party objected to disclosure of those documents, claiming they were exempt under clause 4 of Schedule 1 to the FOI Act. The agency initially claimed that all of the documents were exempt, but subsequently reconsidered and withdrew its claims for exemption.

The complainant was invited to identify particular information in the documents to which it sought access. The OIC invited the third party to review its claims having regard to the particular information identified by the complainant. As a result, the third party provided the agency with an edited copy of the documents in a form it agreed could be given to the complainant. The complainant accepted the edited access to the documents provided and the matter was resolved.

Agency reconsiders the scope of the access application

The complainant applied to the agency for certain documents about named companies in a particular industry. The complainant excluded personal information, including prescribed details, from the scope of their application. When the documents were provided, the complainant did not accept that all of the information that had been deleted was outside the scope of the access application.

The Commissioner considered that some of the deleted information was within the scope of the application and invited the agency to reconsider its decision in relation to that information. The agency accepted that certain information was within scope of the access application and gave the complainant access to that information. As a result, the matter was resolved.

Both parties amend positions to resolve matter

The complainant applied for access to a document relating to an incident which had resulted in a fatality. The agency refused the complainant access to the requested document on the basis it was exempt under clause 3(1) of Schedule 1 to the FOI Act as it contained personal information relating to third parties. The agency also refused access on the basis that the document was exempt under clause 5(1)(d) of Schedule 1 to the FOI Act as disclosure could 'prejudice the fair trial of any person'.

Following inquiries by the OIC, both parties agreed to amend their positions. The agency withdrew the claim for exemption under clause 5(1)(d) as the relevant legal proceedings had concluded. The complainant agreed to the editing of personal information from the document. The complainant also gave the agency written consent from an appropriate relative to release the personal information of the deceased person to the complainant. As a result, the agency agreed to provide the complainant with an edited copy of the requested document.

The complainant was satisfied with the access provided and the matter was resolved.

Agency agrees to deal with access application

The complainant applied for external review of the agency's decision to refuse to deal with his access application under section 20 of the FOI Act on the ground that the work involved in dealing with the access application would divert a substantial and unreasonable portion of the agency's resources away from its other operations.

After considering all of the material before her, including submissions made by the parties, the Commissioner advised the parties that it was her preliminary view that the agency's notice of decision did not contain sufficient information as required by the FOI Act. The Commissioner also advised the parties that it was her preliminary view that the agency had not shown that it

had satisfied section 20(1) of the FOI Act which requires an agency to 'take reasonable steps to help the applicant to change the application to reduce the amount of work needed to deal with it.' The agency accepted the Commissioner's preliminary view and undertook to deal with the complainant's access application in accordance with the FOI Act.

Agency undertakes further searches and locates documents within scope

The complainant applied to the Commissioner for external review of the agency's decision to refuse access to documents under section 26 of the FOI Act on the basis that the documents sought in the access application could not be found or did not exist.

One of the Commissioner's officers advised the agency that it was the officer's initial assessment, based on the material before the Commissioner, that the agency's decision did not appear to be justified as it was not clear that the agency had conducted sufficient searches to identify documents within the scope of the access application.

At the request of the Commissioner's officer, the agency undertook further searches and identified a number of documents that fell within the scope of the access application. Due to the number of documents identified by the agency, the parties agreed to suspend the external review, and to renegotiate the scope of the access application. Following these discussions, the agency

issued an amended notice of decision to the complainant and provided access to a number of documents. As a result, the matter was resolved.

Complainant discontinues external review following preliminary view

The complainant applied to the agency for copies of a number of documents relating to a tender. Discussions between the complainant and the agency to narrow the scope of the access application were unsuccessful and resulted in an expansion of the scope.

The agency refused to deal with the complainant's access application under section 20 of the FOI Act on the basis that to do so would divert a substantial and unreasonable portion of its resources away from its other operations.

At the OIC's request, the agency provided further information particularly about the workload of the agency at the time it was dealing with this application as well as the resources of the agency to deal with access applications generally.

After reviewing all of the information before her, the Commissioner advised the parties that it was her preliminary view that the decision of the agency under section 20 of the FOI Act was justified.

The complainant did not proceed with the external review and the matter was resolved.

Complainant discontinues external review following further searches by agency and preliminary view

The complainant applied to the agency for a copy of documents relating to a survey process. The agency refused access on the basis that the requested documents had previously been provided to the complainant or were publicly available.

The complainant sought internal review claiming that further documents exist. The agency confirmed its decision and refused access to further documents under section 26 of the FOI Act on the grounds that the documents could not be found or did not exist.

The Commissioner required the parties to attend a conciliation conference. At the conference the agency agreed to conduct further searches for the requested documents. Further documents were subsequently located and provided to the complainant. The complainant was not satisfied with the access provided and maintained that a further discrete set of documents existed.

The Commissioner required further information from the agency in relation to the searches conducted. In particular the Commissioner required information about the location of the requested documents.

After considering all of the material before her, the Commissioner advised the parties that it was her preliminary view that further documents either could not

be found or did not exist and therefore the decision of the agency under section 26 was justified.

The complainant did not proceed with the external review and the matter was resolved.

Cooperation by both parties reduces issues in dispute

The complainant applied to the agency for documents relating to the disposal of a property. The agency gave access to edited copies of documents and refused access to documents on the basis they were exempt under clauses 4(2) or 7(1) of Schedule 1 to the FOI Act.

One of the Commissioner's officers advised the parties that, in the officer's view, it was likely that the Commissioner would consider the agency's clause 7(1) exemption claims were made out. The complainant accepted the officer's view and did not pursue that aspect of the agency's decision.

After discussions with the Commissioner's officer and consulting with a third party, the agency withdrew its claim under clause 4(2) in respect of some of the documents.

The Commissioner advised the parties that it was her preliminary view that the remaining documents were not exempt as the agency had claimed. The agency accepted the Commissioner's preliminary view and gave

the complainant access to the documents and the matter was resolved.

Agency reconsiders exemption claim due to the public interest

The complainant applied to the agency for access to documents relating to a dog attack at a local park. The agency gave the complainant edited copies of four documents, deleting the name and address of the alleged owner of the offending dog on the ground that it was exempt under clause 3(1) of Schedule 1 to the FOI Act.

One of the Commissioner's officers informed the agency that the Commissioner considered that the disputed information was not exempt under clause 3(1) due to the public interest limitation in clause 3(6).

The Commissioner noted that the disputed information was required to pursue a civil remedy through the court system (namely, expenses incurred as a result of injuries to the complainant's dog) and that the complainant was otherwise unable to obtain the information. Therefore, non-disclosure of the disputed information was likely to result in the denial of justice to individuals seeking damages for injury to persons or animals.

Having weighed the competing public interests, the Commissioner considered that, in the particular circumstances, the factors favouring disclosure – to ensure the administration of justice – outweighed the

public interest in protecting the personal privacy of the third party.

In light of the Commissioner's view, the agency withdrew its exemption claim.

The agency complied with its third party obligations under section 32 of the FOI Act before releasing the disputed information to the complainant, and the matter was resolved.

Agency reconsiders whether documents are publicly available

The complainant applied to the agency for access to spreadsheets containing data, which was used to produce newsletters published on the agency's website.

The agency refused the complainant access to the requested documents on the basis that they were publicly available, pursuant to section 6 of the FOI Act, through the submission of a request form.

Following inquiries by the OIC and a review of the multiple request forms provided by the agency, the Commissioner formed the view that the requested documents were not publicly available, pursuant to section 6.

The Commissioner formed that view, in part, due to the terms of the request forms; the conditions that could be attached to the use of data; and the discretion that lay with the agency to refuse the complainant access to the

requested documents, notwithstanding their completion of the request forms. As a result, the Commissioner was not persuaded that the requested documents were available for free distribution to the public in accordance with section 6.

Following receipt of the Commissioner's view, the agency withdrew its claim under section 6 and provided the complainant with a copy of the requested documents, resolving the matter.

Early Intervention Program

The Early Intervention Program (**the EIP**) is designed to deal with external review matters more quickly and achieve resolution of matters informally, within the framework of the FOI Act. Implemented in the last reporting period, the EIP strategy was further refined during this reporting year. The matters to be dealt with by the EIP are selected on the basis of the issues in dispute between the parties; the types and numbers of exemptions claimed; and the complexity and sensitivity of the issues involved.

This year the primary approach of the EIP was to provide the parties with a preliminary assessment of the issues in dispute. These were issued by an experienced officer usually by email and based on established precedent. This allows the affected party an opportunity to reconsider their position in a timely manner before the proceedings become more formal.

In 2020/21, 54 matters were actioned in the EIP. Of those, 43 were finalised as part of the EIP and 11 matters were reassigned for further external review. Of the 43 matters

finalised in the EIP, 39 had a conciliated outcome (90.7%) and four were finalised under section 67(1)(b) of the FOI Act. 72.2% of matters actioned within the EIP were resolved by conciliation.

The high rate of matters finalised by the EIP has provided a timelier outcome for the parties and reduced the number of matters referred for further review. This allows the more complex, resource intensive matters to be managed outside of the EIP.

During the year, we also consulted with other jurisdictions, which provided insight into the early intervention programs and practices of those jurisdictions. The OIC will continue to look at ways to sustain and improve the EIP.

External review outcomes under section 67(1)(b) of the FOI Act

Section 67(1)(b) provides that the Commissioner may, at any time after receiving an application for external review, decide not to deal with it, or to stop dealing with it, because it is frivolous, vexatious, misconceived or lacking in substance.

The Commissioner usually decides to stop dealing with an external review under section 67(1)(b) because it is lacking in substance. The Commissioner may make this decision after further assessment of the matter; because of action taken by the parties that addresses the issue(s) in dispute; or in certain circumstances after issuing her preliminary view of a matter. As noted in [last year's report](#), where the Commissioner informs the parties in her preliminary view that an agency's decision is justified, and if the complainant does not provide any

meaningful response by the specified date, the Commissioner may finalise the matter by deciding that, under section 67(1)(b), it is lacking in substance.

The following table details the number and percentage of external reviews finalised under section 67(1)(b) compared to the total number of external reviews finalised for the last five years.

As can be seen from the table, the number and percentage of times that the Commissioner has stopped dealing with an external review under section 67(1)(b) has increased in the last two years. This increase is likely to be due to a significant increase in the number of preliminary views issued by the Commissioner in the reporting period, from 57 in 2019/20 to 86 in 2020/21.

	External reviews finalised	Section 67(1)(b) outcomes	
		#	%
2016/17	127	12	9%
2017/18	143	12	8%
2018/19	152	11	7%
2019/20	148	27	18%
2020/21	180	45	25%

Decisions made by the Commissioner

Where applications for external review remain unresolved after the initial efforts to conciliate the matter, the Commissioner may need to finalise an external review by issuing a binding

final determination. Before doing so, the Commissioner may issue a written preliminary view to the parties involved in the external review.

The purpose of the preliminary view is to give the parties an opportunity to review the Commissioner's understanding of the matters in dispute; identify any factual errors; and provide new and relevant information or submissions for her final consideration. While there is no legislative requirement to provide a preliminary view, the FOI Act does provide that the parties to an external review are to be given a reasonable opportunity to make submissions.

The preliminary view is addressed in full to the party to whom the Commissioner's preliminary view is largely adverse, with a copy provided to the other parties. An abridged copy may be provided to a party to avoid the disclosure of potentially exempt matter. Based on the preliminary view of the Commissioner, each party is provided the opportunity to reconsider their position, as applicable, and may withdraw or provide additional material in support of their position.

If any matters remain in dispute after the preliminary view has been issued, the Commissioner will, after considering any further information and submissions, formally determine the issues in dispute between the parties.

The parties are informed in writing of the final decision and the reasons for it. The Commissioner is required to publish decisions in full or in an abbreviated, summary or note form, which are published on the OIC's website unless the decision is to stop dealing with a matter under section 67(1). It is the

usual practice to identify all of the parties to the external review in the published decision, except in certain circumstances.

During the reporting period 12 applications for external review were finalised by formal published decision of the Commissioner, and a summary of those follow. The decisions are published on our [website](#).

Re Brookes and Western Australia Police [\[2020\] WAICmr 9](#)

Documents relating to third party's past interactions with criminal justice system – section 23(2) and clause 3(1)

The complainant sought access to documents, including photographs, relating to a named individual's past interactions with the criminal justice system. The agency refused the complainant access to the documents pursuant to section 23(2) of the FOI Act on the ground that it was apparent from the nature of the documents as described in the access application that all of the documents are exempt documents.

The Commissioner found that it was apparent from the nature of the documents as described in the complainant's access application that, if any such documents exist, they would be exempt under clause 3(1) of Schedule 1 to the FOI Act and that there was no obligation on the agency to give the complainant access to an edited copy of those documents, pursuant to section 24 of the FOI Act.

The Commissioner confirmed the decision of the agency.

Re Deturt and Department of Mines, Industry Regulation and Safety [\[2020\] WAICmr 10](#)

Names of builders – clause 3(1) and 4(3)

The complainant sought access to certain individual house inspection compliance audit reports prepared by the agency. The agency gave the complainant access to the reports, deleting the names of the builders on the ground they were exempt under clause 3(1) of Schedule 1 to the FOI Act. The deleted information included the names of individuals as well as the names of building companies.

The Commissioner found that the names of individuals were exempt under clause 3(1). The Commissioner considered that the names of building companies generally is not personal information, as defined in the FOI Act, and was not exempt under clause 3(1). However, the Commissioner decided that information was instead exempt under clause 4(3) of Schedule 1 to the FOI Act.

The Commissioner accepted that disclosure of the names of the building companies would reveal information about the business, professional, commercial or financial affairs of a person and that its disclosure could reasonably be expected to have an adverse effect on those affairs.

In considering whether disclosure of that information would, on balance, be in the public interest pursuant to clause 4(7), the Commissioner noted that the objects of the FOI Act are to make the bodies that are responsible for State and local government more accountable to the public, whereas the complainant's submissions were more about the

accountability of the builders. The Commissioner considered that the information to which the complainant had been given access satisfied the public interest in the accountability of the agency and did not consider that disclosure of the names of the builders would further that public interest.

The Commissioner varied the agency's decision.

Re 'Y' and Department of Education [\[2020\] WAICmr 11](#)

Documents relating to child's disability funding allocation – clause 3(1) and section 26

The complainant sought access to various documents relating to the disability funding allocation for the complainant's child over a specific period of time. The disputed information consisted of the names of officers of the agency deleted from two documents that contained salary details of those officers. The agency claimed the disputed information was exempt under clause 3(1) of Schedule 1 to the FOI Act.

Having regard to the context of the disputed information and the details in the documents already disclosed, the Commissioner considered that disclosure of the disputed information would reveal more than prescribed details and that the limit on the exemption in clause 3(3) did not apply.

In balancing the competing public interests, the Commissioner was of the view that the public interests favouring disclosure were not sufficient to outweigh the

public interest in the protection of personal privacy of the officers. Accordingly, the Commissioner found that the disputed information was exempt under clause 3(1).

The complainant also claimed that certain documents had not been included in the documents released by the agency. The Commissioner was satisfied that the agency had taken all reasonable steps to locate the further documents and that they either did not exist or could not be found. Therefore, the Commissioner found that the agency's decision to, in effect, refuse the complainant access to the further documents under section 26 of the FOI Act was justified.

The Commissioner confirmed the agency's decision.

Re 'Z' and the City of Subiaco [\[2020\] WAICmr 12](#)

Documents relating to allegations about conduct of councillors – clause 3(1)

The complainant sought external review of the agency's decision to give access to personal information about the complainant contained in a document. The requested document related to allegations about the conduct of local government councillors at the agency. The agency decided that the information about the complainant was prescribed details, as set out in clause 3(3) of Schedule 1 to the FOI Act, and therefore not exempt under clause 3(1).

The Commissioner considered that disclosure of the disputed information would reveal more than prescribed details and that the limit on the exemption in clause 3(3) did

not apply. In considering the limit on exemption in clause 3(6), the Commissioner was not persuaded that the public interest in disclosing the personal information about the complainant outweighed the public interest in protecting the privacy of the complainant. Accordingly, the Commissioner found that the disputed information was exempt under clause 3(1) and set aside the agency's decision.

Re 'A' and the City of Subiaco [\[2020\] WAICmr 13](#)

The Commissioner's decision in this matter is substantially the same as described in *Re 'Z' and the City of Subiaco* [\[2020\] WAICmr 12](#) above.

Re Mineralogy Pty Ltd and Department of Mines, Industry Regulation and Safety [\[2020\] WAICmr 14](#)

Correspondence relating to a State Agreement – clauses 3(1), 4(3) and 8(2)

The complainant sought external review of the agency's decision to give access to edited copies of certain documents and to refuse access to certain documents that included correspondence between the agency and another corporate entity relating to the Iron Ore Processing (Mineralogy Pty Ltd) Agreement Act 2002 (WA). The agency claimed that the disputed documents were exempt under clauses 3(1), 4(3) and 8(2) of Schedule 1 to the FOI Act.

A third party was joined as a party to the external review. The Commissioner considered that parts of one document were outside the scope of the access application, that other documents were exempt under clause 4(3) and that certain information was exempt under clause 3(1). The Commissioner did not accept that the disputed documents were exempt under clause 8(2).

The Commissioner varied the agency's decision.

Re Onslow Salt Pty Ltd and Department of Jobs, Tourism, Science and Innovation [\[2021\] WAICmr 1](#)

Environmental reports – clause 4(3)

The complainant sought external review of the agency's decision to give an access applicant access to certain environmental reports submitted by the complainant in accordance with the requirements of the Onslow Solar Salt Agreement Act 1992. The complainant claimed that the reports contained information that was exempt under clause 4(3) of Schedule 1 to the FOI Act. The complainant also claimed that some information was outside the scope of the access application.

The Commissioner accepted that disclosure of the disputed information would reveal information about the business affairs of the complainant, but not that its disclosure could reasonably be expected to have an adverse effect on the affairs of the complainant, or prejudice the future supply of information of that kind to the government or an agency, as required by clause 4(3). Accordingly, the Commissioner

found that the disputed information was not exempt under clause 4(3). The Commissioner also noted that a complainant's right, as a third party, to seek review of the agency's decision was limited to whether information is exempt under clause 3 or clause 4 of Schedule 1 to the FOI Act.

The Commissioner confirmed the agency's decision.

Re Onslow Salt Pty Ltd and Department of Mines, Industry Regulation and Safety [\[2021\] WAICmr 2](#)

Environmental reports – clauses 4(2) and 4(3)

The complainant sought external review of the agency's decision to give an access applicant access to various environmental reports submitted by the complainant, in accordance with the requirements of the Onslow Solar Salt Agreement Act 1992. The complainant claimed that the reports contained information that was exempt under clauses 4(2) and 4(3) of Schedule 1 to the FOI Act.

As the Commissioner was not persuaded that the disputed information had a commercial value, she found that information was not exempt under clause 4(2). The Commissioner accepted that disclosure of the disputed information would reveal information about the business affairs of the complainant, but not that its disclosure could reasonably be expected to have an adverse effect on the affairs of the complainant, or prejudice the future supply of information of that kind to the government or an agency, as required by clause 4(3). Accordingly, the Commissioner

also found that the disputed information was not exempt under clause 4(3).

The Commissioner confirmed the agency's decision.

Re Toohey and School Curriculum and Standards Authority
[\[2021\] WAICmr 3](#)

Names of markers of ATAR examinations – clause 11(1)(a)

The complainant sought access to documents that showed the names of markers, and the chief marker, for a particular unit of the Australian Tertiary Admission Rank (ATAR) course examination for 2019.

The agency refused access to two documents on the basis that they were exempt under clause 11(1)(a) of Schedule 1 to the FOI Act. Matter is exempt under clause 11(1)(a) if its disclosure could reasonably be expected to impair the effectiveness of any method or procedure for the conduct of tests, examinations or audits by an agency. Matter is not exempt under clause 11(2) if its disclosure would, on balance, be in the public interest.

The Commissioner accepted that disclosure of the names of the markers would undermine the recruitment of the many markers needed for the ATAR system to work effectively, and therefore impair the effectiveness of the agency's procedures for the conduct of examinations, as described in clause 11(1)(a).

The Commissioner weighed the public interests for and against disclosure of the disputed documents. Weighing

against disclosure, the Commissioner recognised public interests in the maintenance of both personal privacy and the integrity and effectiveness of the agency's methods and procedures for the conduct of examinations. In favour of disclosure, the Commissioner considered that there was a public interest in the accountability of the agency in carrying out its marking processes and had regard to the mechanisms that were in place and the information that was already available. The Commissioner found that, on balance, the public interest factors weighing against disclosure of the disputed documents outweighed those in favour and, as a result, that the clause 11(2) limitation did not apply.

The Commissioner found that the disputed documents were exempt under clause 11(1)(a) and confirmed the agency's decision.

Re Flatman and Main Roads Western Australia [\[2021\] WAICmr 4](#)

Information of a commercial value to a third party – clause 4(2)

The complainant sought external review of the agency's decision to refuse him access to documents containing information about testing carried out on a third party's asphalt mix, to assess whether it complied with the agency's Asphalt Mix Design. The agency claimed the disputed information was exempt under clause 4(2) of Schedule 1 to the FOI Act.

The Commissioner accepted that disclosure of the information about the results of the tests on particular components of the asphalt mix has a commercial value to the third party as it is valuable for the purposes of carrying on the commercial activities of the third party. The Commissioner considered that disclosure could reasonably be expected to destroy or diminish that commercial value, taking into account the competitive nature of the industry and that the mixture could be back-calculated; the information is not publicly available; and the mixture may be used on future projects.

The Commissioner, therefore, found that the disputed information was exempt under clause 4(2) and confirmed the agency's decision.

Re Hollands and City of Belmont [\[2021\] WAICmr 5](#)

CCTV footage – clause 3(1)

The complainant applied for access to certain CCTV (**the disputed document**) footage of the agency's foyer area following a council meeting on a particular date.

The agency refused access to the CCTV footage on the ground it was exempt under clause 3(1) of Schedule 1 to the FOI Act.

Having considered documents submitted by the complainant, which she asserted were consent forms from individuals in the disputed document, the Commissioner was not satisfied that all individuals in the disputed document

consented to the disclosure of their personal information and did not consider that the limit on the exemption in clause 3(5) applied.

The Commissioner recognised that there was a public interest in ensuring the accountability of the agency for actions taken in relation to a dispute between private individuals arising at the agency's offices. However, the Commissioner considered that this public interest was satisfied by a complaint made by the complainant to an oversight body which made inquiries into the agency's actions.

In balancing the competing public interests the Commissioner was not persuaded that the public interests favouring disclosure were sufficient to outweigh the strong public interest in the protection of personal privacy of other individuals. Accordingly, the Commissioner found that the disputed document was exempt under clause 3(1).

The Commissioner considered whether it was practicable for the agency to give the complainant access to an edited copy of the disputed document, pursuant to section 24 of the FOI Act, but decided in this matter that the extensive editing required would render the document unintelligible. The Commissioner observed that it may be appropriate for agencies, which capture CCTV footage for security and safety purposes, to have software capable of editing the footage in order to satisfy requests made under the FOI Act.

The Commissioner confirmed the agency's decision.

Re Hollands and City of Belmont [\[2021\] WAICmr 6](#)

Complaint by a third party – clause 3(1)

The complainant applied for access to a copy of a complaint lodged by a resident regarding her conduct at a council meeting. The agency gave the complainant access to an edited copy of the disputed document, claiming that the information deleted from the document was outside the scope of the complainant's application.

Having considered the material before her, the Commissioner was of the view that the disputed information was exempt under clause 3(1) of Schedule 1 to the FOI Act. The Commissioner considered that disclosure of the disputed information would do more than reveal personal information about the complainant, as the complainant's information was inextricably interwoven with personal information about other individuals.

The Commissioner recognised that there are public interests in local government agencies being accountable for actions they take in response to allegations made; and in individuals, who have had allegations made against them, being informed of the nature of the allegations, being given the opportunity to respond and being informed of any action taken by the agency.

Having considered the edited copy of the disputed document provided to the complainant, along with a letter from the agency informing her of the complaint against her, the Commissioner considered these public interests were satisfied. The Commissioner also considered that the

complainant's complaint to an oversight body about the agency, resulting in inquiries into the agency's actions, further satisfied the public interest in the agency being accountable for its actions. The Commissioner did not consider that disclosure of the disputed information would further that public interest.

In balancing the competing public interests the Commissioner was not persuaded that the public interests favouring disclosure of the disputed information were sufficient to outweigh the strong public interest in the protection of privacy of other individuals.

Accordingly, the Commissioner varied the agency's decision and found that the disputed information was exempt under clause 3(1).

External review outcome benefits

When an external review is finalised by the OIC the outcome is recorded as one of four types of legislative outcome (see [Table 5](#)). The FOI Act outlines the basis on which an external review can be finalised as follows:

- By formal published decision under section 76(2) where the Commissioner formally determines any issues remaining in dispute and makes a decision that either confirms, varies or sets aside the agency's decision and makes a decision in substitution.
- By decision under section 67(1)(a) where the Commissioner decides to stop dealing with the matter because it does not relate to a matter the Commissioner has power to deal with.

- By decision under section 67(1)(b) where the Commissioner decides to stop dealing with the matter because it is frivolous, vexatious, misconceived or lacking in substance.
- By conciliation where the external review is finalised on the basis that there are no issues remaining in dispute that the Commissioner is required to determine.

Summary details of the external review process, which may include some outcomes achieved for the parties during the external review process, are described in published formal decisions and selected case studies of conciliated matters reported in this report. However, those summaries do not necessarily describe the full extent of the benefits to a party, particularly the complainant, which are achieved in the external review process.

For example, a formal published decision may state that an agency’s decision is confirmed in relation to any issues that remained in dispute at the end of the external review process. However, it is often the case that a significant amount of what was in dispute at the commencement of the external review is resolved during the external review process, meaning the Commissioner was not then required to formally determine those issues.

In order to better reflect and record all outcomes achieved, from 1 July 2019 the OIC has recorded benefits to a party that may not otherwise have been reflected when only using one of the four legislative outcomes of an external review, as outlined above. Some matters may have more than one benefit to a party.

For each external review finalised the case officer is required to identify whether:

- access to additional documents or parts of documents was given to the complainant;
- additional action was taken by the agency while the matter was on external review which resulted in more information being provided to the applicant;
- the scope of the external review was reduced by a party; or
- no additional benefit was attributed to a party to an external review.

In the first year recording such information (2019/20) 148 external reviews were finalised. In the current reporting period (2020/21) 180 external reviews were finalised. The chart below summarises the outcome benefits of external review applications for both last year and the current year:

	2019/20		2020/21	
	#	%	#	%
Additional documents or parts of documents released	45	30	42	23
Additional action taken by the agency	53	36	61	34
Reduction in scope	8	5	15	8
No additional benefit	55	37	69	38

Timeliness of external review

The timeliness of the external review process is an ongoing challenge for the OIC. During the reporting period a further review of our processes took place, which resulted in a greater focus being given to older unresolved matters. This is reflected in the chart below, with a significant increase in the finalisation of external reviews that were on hand for greater than 12 months. We will continue to review our processes wherever practicable without compromising the integrity of the external review process.

	Percentage of external reviews finalised in time periods		
	Less than 6 months	Between 6 and 12 months	Greater than 12 months
2016/17	66%	24%	10%
2017/18	64%	25%	11%
2018/19	61%	34%	5%
2019/20	47%	34%	19%
2020/21	36%	38%	26%

Multiple external reviews by complainants

Each year the OIC receives more than one external review from a number of individual complainants (access applicants and third parties). The chart below shows a comparison between the number of external reviews received and the total number of complainants over the last five years.

	Number of external reviews received	Total number of complainants
2016/17	124	88
2017/18	165	103
2018/19	176	118
2019/20	166	127
2020/21	161	112

On average, over this five year period, 70% of external reviews received were where a complainant lodged a single external review and 30% of external reviews received were where a complainant lodged multiple external reviews.

Advice and Awareness

Strategic Goal: Enhance the information access culture in Western Australian government agencies

Provide clear, accurate, relevant and timely advice to agency staff to enhance their understanding of their responsibilities under the WA FOI Act

- Responded to 445 phone and written enquiries from agencies.
- Four newsletters published.

Ensure our resources, tools and training services support information access competency within agencies

- Online FOI Fundamentals Series launched.
- FOI briefings and training provided.
- Liaison with the FOI Agency Reference Group.
- Review of all of current publications commenced.

Identify and recommend changes to legislation and administrative practice that will facilitate improved information access practice across the State

- Recommendations published in annual report.
- Information access principles promoted via the CEO Gateway.

Explore opportunities for collaboration to champion the principles of open government

- Participated in the Association of Information Access Commissioners events.
- Participated in the International Conference of Information Commissioners.

Strategic Goal: Enhance public awareness and understanding of freedom of information in Western Australia

Ensure we provide the community with accessible, inclusive and user-friendly information

- Responded to 1,140 in person, phone and written enquiries from members of the public.
- Publications specifically targeted at members of the public provided.

Increase community awareness of freedom of information rights

- Webinar for advocacy groups delivered.
- International Access to Information Day promoted.

Promote community understanding about the role of the Information Commissioner

- Articles published and speaking events held by the Commissioner.

The OIC seeks to ensure that agencies and their staff value FOI as part of an agency's operations and that FOI Coordinators, decision-makers and principal officers are aware of their responsibilities under the FOI Act. An understanding of agency obligations under the FOI Act should form part of any public sector employee's competency.

The OIC also provides information for members of the public and those who may advocate for or assist members of the public to understand the rights and processes outlined in the FOI Act. Training and briefings are provided to State and local governments and to non-government groups as part of those activities.

A list of the training, briefings and workshops provided by the OIC is available at [Table 9](#).

FOI Training for FOI Coordinators and decision makers

For a number of years, the OIC has offered an FOI Coordinator's Workshop and FOI Decision Writing Workshop as face-to-face training for agency officers, presented at OIC facilities. The FOI Coordinators Workshop was a full day course and had between 10 and 25 attendees at each workshop. The Decision Writing Workshop was a half day course and had a similar number of attendees. Generally, during a three month period, the OIC would offer two FOI Coordinator's Workshops and one Decision Writing Workshop.

During the second half of 2020, in response to the COVID-19 pandemic, the OIC delivered the two interactive workshops remotely. The remote sessions were generally 90 to 120

minutes long and attendance was similar in number to those attending face-to-face training.

In early 2021, the OIC developed an online course that agency staff can access at any time, at their own pace. As a result, in March 2021, the [FOI Fundamentals Series](#) was made available. The series consists of eight online modules, as set out below, and is aimed at State and local government officers dealing with FOI in their agency. The series includes the material that was covered in the face-to-face training offered by the FOI Coordinator's Workshop.

- Module 1 – FOI Basics
- Module 2 – Dealing with an access application – Part 1
- Module 3 – Dealing with an access application – Part 2
- Module 4 – The exemptions – Part 1
- Module 5 – The exemptions – Part 2
- Module 6 – 'Third parties'
- Module 7 – Notices of decision and review rights
- Module 8 – Other requirements of the FOI Act and series summary

Completion of all modules will assist participants to understand an agency's obligations when dealing with access applications under the FOI Act and learn strategies to deal with access applications efficiently and effectively.

Each module consists of a video, including a PowerPoint presentation, and material from the FOI Coordinator's Manual.

Assessment questions are being developed, which will allow participants to demonstrate their understanding of the concepts covered in each module and receive a certificate of participation.

Registration for the FOI Fundamentals Series is available at our [website](#).

A second series of modules based on the Decision Writing workshop is currently in development.

Briefings for community groups

The OIC will consider invitations from non-government groups to provide briefings about rights under the FOI Act. Priority is given to groups that support individuals to understand or exercise their rights under the FOI Act. During the year the OIC provided an FOI briefing for participants completing the Piddington Society's Practical Legal Training.

This year, as part of International Access to Information Day celebrations, the OIC also delivered an online webinar aimed at not-for-profit agencies to assist advocates to understand how to use FOI effectively on behalf of their clients.

A key message for community groups seeking to assist individuals to access documents or to amend their personal information is to contact the relevant agency before making a formal application. This early contact can be useful in reducing the work required for both the applicant and agency.

Community groups are referred to our publication [Is FOI my best option?](#) together with other relevant OIC publications to ensure advocates are informed of effective strategies for exercising rights under the FOI Act.

FOI Newsletter

The newsletter provides an opportunity for the OIC to address current or recurring FOI and information access issues. While the information contained in the newsletter is primarily aimed at agency staff, it includes information that may be of interest to members of the public. Subscribers to the newsletter also receive alerts when new decisions of the Commissioner are published on our website.

Over 300 subscribers received the four newsletters published during the reporting period in [July 2020](#), [November 2020](#), [February 2021](#) and [May 2021](#).

Subscription to the newsletter is available on our [website](#).

Online resources

The majority of the OIC's written resources are published on our website. These include:

- guides for members of the public and agencies;
- Commissioner's decisions;
- annual reports;
- FOI Coordinator's Manual; and
- FOI newsletters.

The OIC maintains a suite of online guides for agencies and members of the public. Agency guides assist agencies to meet their obligations under the FOI Act. Guides for members of the public provide guidance about making FOI access and

amendment applications and understanding the FOI process. While the guides are created with a particular audience in mind, they are accessible by all who access our website.

Short guides on common issues or questions regarding FOI are available from our home page with drop-down menus for members of the public and for agencies. These short publications are available as printable PDFs using a link on the webpage of each publication. More detailed publications are available from our [Publications](#) page, which is accessible from our home page under 'Other Resources'. The [OIC guidance](#) page provides detailed information about FOI processes, some FOI Act exemptions and external review procedures.

The [FOI Coordinator's Manual](#) is a key resource for anyone seeking to understand the FOI processes in greater detail. It is a comprehensive reference tool for FOI Coordinators and is intended to be an evolving resource. It is also a resource used in the newly developed online *FOI Fundamentals Series* available for agency officers.

New publications and publication updates

After considering the recommendations made by the Standing Committee on Public Administration in its November 2020 report, ['Consultation with Statutory Office Holders' \(Report No 34\)](#):

- the OIC created and published a new publication – [Exchange of submissions and procedural fairness - External review guide for parties](#); and

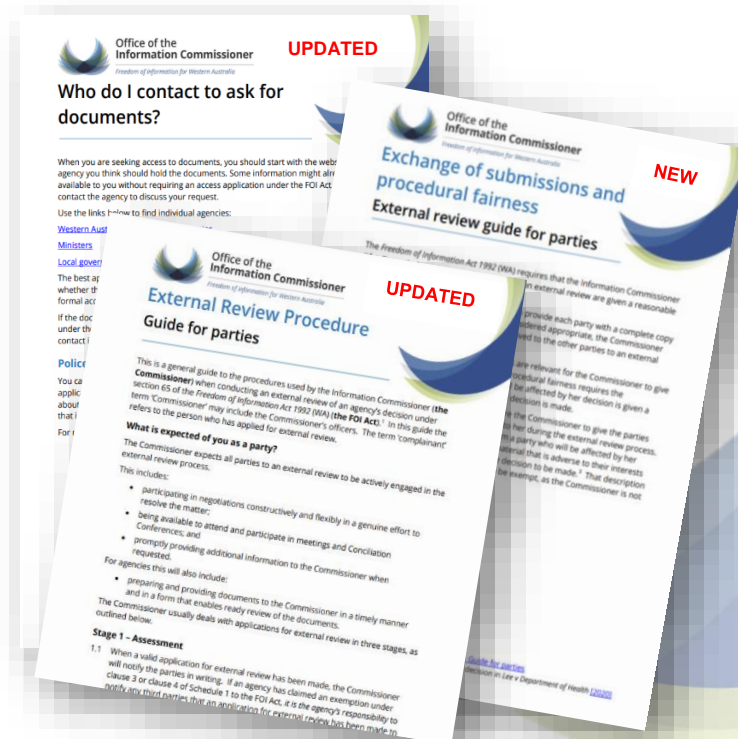
- amended its existing publication – [External Review Procedure - guide for parties](#).

Further detail regarding the Committee's report is outlined on [page 44](#) of this report.

Also in this reporting period, the OIC amended the existing publication – [Who do I contact to ask for documents?](#)

A full list of OIC web publications is available at [Table 11](#).

This year the OIC began a review of our publications with input provided by the Agency FOI Reference Group: see page [32](#) of this report for further details. This review is an important initiative towards fulfilling the OIC's 2020-2023 Strategic Goals.



Online decision search tool

Decisions of the Commissioner made under section 76 of the FOI Act are published on the OIC's website as soon as practicable after being handed down and provided to the parties. A comprehensive search facility is available for full decisions whereby users can search for specific exemption clauses, sections of the FOI Act or words and phrases found in the decisions. For these criteria, the facility will search the catchwords found at the beginning of each full decision as per the following example:

FREEDOM OF INFORMATION – refusal of access – lease of premises commonly known as 'Indiana Tea House' – section 30(f) – the requirements of a notice of decision if the decision is to refuse access – section 102 – burden of proof – section 33 – safeguards for affected third parties – clause 4(3) – adverse effect on business affairs – clause 4(7) – public interest – clause 8(1) – breach of confidence – clause 8(2) – information of a confidential nature obtained in confidence.

The Commissioner may issue a decision note, which is not as comprehensive as a full decision but is still captured by the search facility when searching by agency or complainant name, selecting decisions between dates, or a particular outcome.

A Google search is also available that will search the full text of all published decisions.

The decision search facility is a very helpful tool for FOI practitioners to search for precedents relevant to matters with which they are dealing. The Commissioner's decisions are also available and searchable on the Australasian Legal Information Institute (**AustLII**) [website](#) under Western Australia case law. AustLII provides a free online database of Australasian legal materials.

People can subscribe to receive notifications of newly published decisions of the Commissioner at our [website](#).

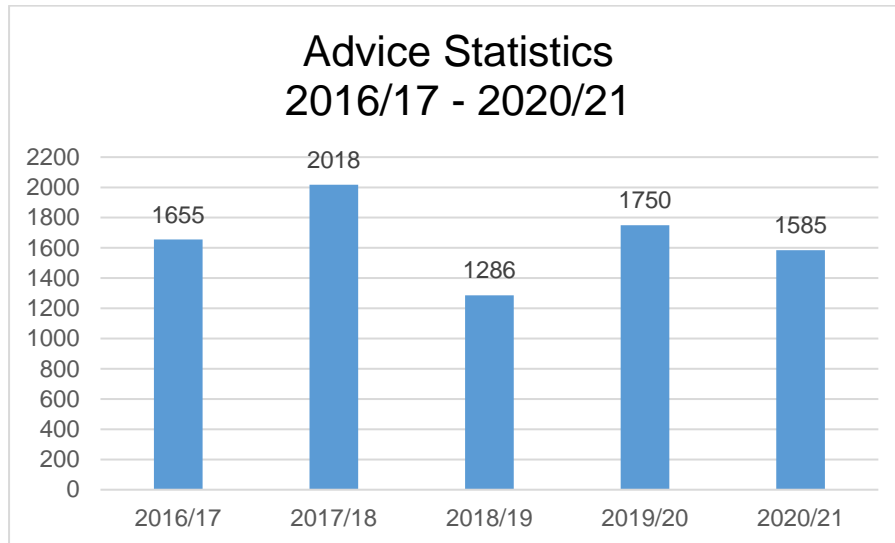
Responding to enquiries

The OIC provides general assistance to members of the public and agency staff regarding FOI issues. The information provided is intended to ensure that members of the public are aware of their rights to access documents under the FOI Act and of the options available to seek access to documents outside of formal FOI processes where appropriate. Agency officers are assisted to understand their obligations under the FOI Act.

Members of the public sometimes misdirect their requests for documents held by particular agencies to the OIC. For example, each year the OIC receives a number of access applications for medical records. People who misdirect their request are advised that under the FOI Act, access applications should be made directly to the agency that holds the documents. Requestors are given: contact information for the relevant agency; encouragement to contact the relevant agency to check whether a formal access application is required; and information about review rights if they are dissatisfied with an agency's decision under the FOI Act.

This year the OIC dealt with 1,585 written, phone and in-person requests for guidance or advice, and misdirected requests. This is a 9.4% decrease from the 1,750 requests for advice received last year. It is also a return to closer to the numbers received in previous years.

The OIC does not provide legal advice and does not provide specific rulings on particular issues or sets of facts when the matter is not before the Commissioner on external review. The resources outlined in this report provide information to support agencies and the community to understand their rights and obligations under the FOI Act.



Agency FOI Reference Group

The Agency FOI Reference Group (**AFRG**) is made up of key staff of the OIC and FOI practitioners from 14 agencies that are representative of the different agency types in the sector. The number has been expanded from ten to seek a greater cross section of input.

The purpose of the AFRG is to promote and advocate for good FOI practice in agencies. Meetings of the group continue to provide an opportunity for the OIC to hear directly about current

issues facing agencies relating to FOI. These discussions are an important contributing factor to the advice and awareness activities of the OIC.

The AFRG met four times during the reporting period. Members of the AFRG are encouraged to share information from meetings with their staff and similar agencies, and to feed information back from those sources to the group.

During the second half of the reporting year the OIC began a process to review the publications currently available on the OIC website. Members of the AFRG were asked to provide feedback about the OIC publications in a staged process.

Each AFRG member was allocated a number of publications to review; and each document was reviewed by three to five people within the AFRG.

The members provided feedback about the OIC's *For the Public* and *For Agencies* publications.

Members were asked to consider the following in relation to each publication:

- Is the reason for the publication clear?
- Will the publication assist the relevant audience?
- Do you have questions arising from the publication? Could they be addressed in this publication or another publication?
- Would you provide this publication to a member of the public or another officer when relevant?

- Are there additional matters you think should be included in this publication?
- Do you have concerns about any of the statements made in the publication or about the way that they may be interpreted?
- Do you have any suggestions for improvement?

The feedback provided by the AFRG members will play an important role in informing the rollout of updated publications in the next reporting period.

International Access to Information Day 28 September 2020



International Access to Information Day (**IAID**) – formally known as Right to Know Day – is celebrated on 28 September each year and recognises citizens’ rights to access information and reinforces the importance of transparency in building trust in government.

In 2020 a working group of officers from the various information access jurisdictions in Australia and New Zealand, comprising

the Association of Information Access Commissioners (**the AIAC**), cooperated to develop a joint logo and theme to celebrate IAID in Australia.

The AIAC also issued a [joint statement](#) celebrating IAID and acknowledging the importance of access to information laws and the community’s right to know. Events held by the individual AIAC jurisdictions were cross-promoted.

As part of the IAID celebrations, the OIC held three online seminars to promote and discuss information access and rights under the FOI Act:

- **Accessing government documents in WA** – this session was aimed at not-for-profit agencies to assist advocates understand how to use FOI effectively on behalf of their clients.
- **Information Access and Local Government in WA** – this session featured a panel discussion between the Commissioner, the CEO of the City of Gosnells and the CEO of the City of Perth about the importance, role and challenges of information access in local government. It was well attended by both local and State government officers.
- **Comparing the ‘push’ and ‘pull’ approaches of FOI and RTI legislation** – this session featured a discussion between the Commissioner, the Queensland Information Commissioner; and the Queensland Right to Information Commissioner about ‘push’ and ‘pull’ models in FOI and Right to Information legislation.

Information Awareness Month – May 2021

Building Trust – Adaptability and Capabilities was the theme for Information Awareness Month (IAM) held in May 2021. IAM is a collaborative event between various bodies within the records, archives, library, knowledge, information and data management communities. The OIC promoted IAM events on its website and the Commissioner issued a [joint statement](#) with the Director of the State Records Office, which promoted IAM and the role that timely access to information can play in building trust between the community and government.

Online FOI access application form

As reported last year, the OIC has worked with a number of agencies to develop an online FOI access application form, which was launched on the WA.gov.au website in August 2020. This form allows members of the public to submit an online access application to the State government agencies that have their website hosted on the WA.gov.au site.

While a form is not required to make a valid access application under the FOI Act, it can be preferred by applicants because it provides a structure to their access application. An online form also provides an easy way to lodge the FOI access application with the appropriate agency.

The online form is preceded by information to assist applicants to understand their rights under the FOI Act. Applicants are encouraged to contact the relevant agency before lodging their application because in many cases a formal FOI access application may not be necessary – in some cases, the documents to which access is being sought may be available

outside the FOI process. The relevant FOI contact for each agency is also provided.

The online form is structured to allow applicants to provide the information needed to make a valid access application under the FOI Act, while also allowing and encouraging the applicant to provide additional information to assist agencies to clearly identify the documents requested – and the information that the applicant does not want – so that the application can be dealt with effectively and efficiently.

Lonnie Awards for annual reporting

The Lonnie Awards – organised and hosted by the Institute of Public Administration Australia – provides an independent review of WA State government annual reports each year. The purpose of the awards is to encourage excellence in annual reporting, which is an important tool in accountability and transparency.

The judging panel for 2019/20 annual reports across the sector awarded the OIC's annual report the gold award for agencies with less than 100 FTEs.

Our workplace

Strategic Goal: Foster a supportive and collaborative workplace that advances staff capabilities and encourages innovation and creativity

Ensure that our organisational structure promotes open lines of communication

- Proposal for an organisational review to be undertaken drafted.

Explore flexibilities that enhance working arrangements and professional development

- Working from Home Policy reviewed.
- Ongoing working from home arrangements approved.
- Opportunities for career development provided.

Cultivate a positive organisational culture that supports personal wellness

- Accredited Mental Health First Aid advocate supported.
- Mental Health First Aid Officer Workplace Policy developed.
- Participation in Mental Health Awareness Week.
- Monthly OIC staff walking group established.

Strategic Goal: Sound information systems that support our operational needs

Use technology to improve efficiency and accessibility to our services

- Online FOI training modules to replace in-person training developed.

Implement a case management system that meets our reporting needs

- Advice sought from consultants and other agencies in preparation for project planning.

Transition to an electronic records management system to better manage our record-keeping obligations

- Liaised with other small agencies in preparation for project planning.

Response to COVID-19

In early 2020 the COVID-19 pandemic required significant effort to manage the impacts on our working environment and the health and safety of our staff. This year we continued to encourage safe practices and ensure our policies and procedures remain relevant.

Staff have been invited to provide feedback on their experience working remotely: what worked for them; what did not; and whether they had the necessary resources to work effectively. With this information, the following documents have been drafted and/or reviewed:

- action plans which outline the actions to be taken and resources to be used to facilitate the continuation of critical business activities in the event that the OIC is required to operate remotely for an extended period;
- safe work practice guides;
- a policy on the uniform treatment, storage and disposal of confidential documents submitted by agencies during the course of the external review process;
- a policy on the use of electronic signatures; and
- a remote working policy.

As reported last year, our strategic plan for 2020-2023 includes updating systems to assist with our response to future crises and to improve our efficiencies. During the year we used the feedback provided by staff to develop a gap analysis outlining what is currently available to facilitate staff working remotely

and what is still needed, particularly during a full office lockdown. As a result, and as the OIC's desktop computers are due for replacement in 2021, laptops will be purchased later this year that staff may use remotely.

Wellbeing and Mental Health Awareness

The OIC encourages the physical and mental health of staff. Initiatives include:

- supporting an employee to become an accredited Mental Health First Aid advocate;
- developing a Mental Health First Aid Officer Workplace Policy;
- maintaining awareness of the ongoing Employee Assistance Program that provides free counselling;
- maintaining information about responding to threats of self-harm or harm to others;
- participating in Mental Health Awareness Week;
- establishing a monthly OIC staff walking group;
- encouraging participation in fundraising activities for the Law Access Walk and the Push Up Challenge; and
- a staff funded social club that organises events during the year.

Flexible working arrangements

Workplaces around the world are acknowledging that the COVID-19 pandemic has potentially changed the traditional working environment. The future of the workplace is now more inclusive of remote working for staff on an ongoing basis.

The requirement for OIC staff to work from home for periods during the pandemic provided the opportunity to develop a more robust Working from Home Policy, which ensured the proper management of processes, protocols, resources and technologies.

During the year, seven staff members have been given approval to work from home on a regular basis at varying degrees of regularity. Staff are also able to seek approval to work from home on a more adhoc basis. This arrangement benefits the office by allowing staff to continue their work, where previously they may have needed to make leave arrangements.

Given the success of these arrangements, a review of the Working from Home Policy is underway. Other flexible working arrangements that might be suitable for the OIC are also being explored.

Career development

Due to the small size of the OIC, there is limited scope for career development within the organisation. This fact has always been recognised as an issue, and that it poses a risk to staff retention.

During the year, an opportunity for staff to gain experience in higher level positions was created by dedicating an officer to other special projects, which provided higher duties openings for two staff members.

Significant Issues

Recommended legislative and administrative changes

The Commissioner is required to include in the annual report to Parliament any recommendations as to legislative or administrative changes that could be made to help the objects of the FOI Act be achieved (see section 111(4)).

In last year's [annual report](#), at page 35, the Commissioner highlighted a priority reform that could improve the OIC's operational effectiveness, namely, removing the need for Executive Council approval for all staff appointments.

The Commissioner also noted that recommendations for amendments relating to the following issues have been made in past annual reports:

- Outdated reference to 'intellectually handicapped persons'.
- Public health facilities operated by non-government operators.
- Consultation with officers of government agencies.
- Refusal to deal with amendment applications.
- Refusal to deal with repeat applications.
- Not confirming the existence of documents that are exempt under clause 14(5) of Schedule 1.

- Reference to 'closest relative'.

None of these amendments were made to the FOI Act during the reporting period. The Commissioner maintains the need for all of these amendments.

Last year's report also noted that the OIC would consider making a recommendation that a review of the FOI Act take place before its 30 year anniversary in November 2023. It was noted that an appropriately scoped and independent review of the FOI Act could examine and report back to the Parliament about how best this important accountability tool can continue to support transparency and trust in government.

In November 2020 the Legislative Council's Standing Committee on Public Administration produced Report No 34, [Consultation with Statutory Office Holders](#): see [page 44](#) of this report for further details.

The Committee recommended that the Attorney General undertake a review of the FOI Act, with public consultation, with a report to be tabled in the Parliament before the end of 2023 and that the review should specifically consider the OIC's previous recommendations regarding private contractors who provide public patient services (see paragraphs 3.39-3.45 of the Committee's report and recommendations 4 and 5).

The OIC is preparing a submission to be provided to the Attorney General later this year regarding a review of the FOI Act.

Supreme Court appeals

An appeal can be made to the Supreme Court on any question of law arising out of a decision made on an external review by the Commissioner. An appeal on a question of law is not a further full merits review and there is no appeal to the Supreme Court in relation to decisions on a deferral of access, imposition of charges, or the payment of a deposit. The Commissioner is usually not a party to the appeal.

As noted in last year's annual report, at the end of the previous reporting period there was one outstanding appeal before the Supreme Court arising out of a decision of the Commissioner to stop dealing with an external review on the ground that it was lacking in substance pursuant to section 67(1)(b) of the FOI Act. That matter was heard on 25 September 2020 and the judgment delivered on 22 April 2021, dismissing the appeal and ordering the complainant to pay the agency's costs: see *Lee v Department of Justice* [2021] [WASC 119](#).

A summary of the above Supreme Court decision is available in our [May 2021 newsletter](#).

This year, three decisions of the Commissioner were the subject of an appeal to the Supreme Court:

- Two appeals arose from decisions of the Commissioner to stop dealing with external reviews from two separate complainants on the ground that they were lacking in substance pursuant to section 67(1)(b) of the FOI Act. In both matters, the appeals were discontinued during the reporting period.
- One appeal arose from the Commissioner's decision in *Re Mineralogy Pty Ltd and Department of Mines, Industry Regulation and Safety* [2020] [WAICmr 14](#). As at the end of the reporting period, the Supreme Court had not heard the appeal.

As noted in last year's report, on 31 March 2020, the Supreme Court dismissed an appeal against a decision of the Commissioner to stop dealing with an external review on the ground that it was lacking in substance pursuant to section 67(1)(b): see *Lee v Department of Justice* [2020] [WASC 105](#). The complainant subsequently lodged an appeal in the Court of Appeal against the Supreme Court's decision. That appeal was heard on 16 June 2021. The Court of Appeal delivered its judgment on 31 August 2021 (which is outside the reporting period), dismissing the appeal: see *Lee v Department of Justice* [2021] [WASCA 152](#). This is only the second time since the passage of the FOI Act that the Court of Appeal has heard an appeal arising out of a decision of the Information Commissioner.

Links to all Supreme Court decisions relating to decisions of the Commissioner are available on our [website](#).

Information access policies and procedures beyond formal access applications

In August 2020, the Standing Committee on Public Administration presented Report 31 – *Coming home safely: WorkSafe and the workplace culture in Western Australia* (**the**

Inquiry Report). That report and the Government's response is available on the Parliament's [website](#).

The Inquiry Report included a number of recommendations regarding FOI practices, information disclosure, culture and transparency: see recommendations 16, 17, 18, 30, 31 and 32. Among other things, the report and its recommendations serve as a reminder to agencies of the importance of having policies and processes in place that enable access to information, including outside the formal FOI access process, unless there is a good reason not to do so.

Although the FOI Act creates a general right of access to State and local government documents, the use of that right should supplement, rather than replace, other procedures for making information available; the FOI process should essentially be a last resort for people seeking government information. Even when an FOI application is lodged, agencies are encouraged to engage in open and meaningful dialogue with an applicant with a view to finding an outcome which meets the person's needs.

Well planned and coordinated information disclosure policies and procedures that reflect a default position of public disclosure wherever practicable, can reduce the time and resources that would otherwise be required to process formal information access requests under the FOI Act. The existence of those policies leaves the formal FOI access procedures to deal with the more complex, sensitive or non-routine requests for information, particularly where the public interest in disclosure needs to be weighed against genuine public interests in non-disclosure.

Agency culture around information access is paramount to achieving the objects of the FOI Act, namely enabling the public to participate more effectively in governing the State and to make the persons and bodies that are responsible for State and local government more accountable to the public. As the Commissioner stated in the [OIC's 2010 report](#) tabled in Parliament titled [The Administration of Freedom of Information in Western Australia](#):

The culture of an agency in regard to attitudes about concepts of openness, accountability and transparency is considered inextricably linked to how well FOI applications are administered by the agency and whether the intent of the FOI Act is met. For FOI to be administered effectively, efficiently and fairly within agencies, it is important for Ministers, CEOs and FOI Coordinators to have a strong commitment to the principles and promotion of openness, accountability and transparency.

Association of Information Access Commissioners (AIAC)

The AIAC was established in 2010 and consists of the statutory officers in each Australian and New Zealand jurisdiction responsible for FOI and information access.

The purpose of the AIAC is for members to exchange information and experience about the exercise of their respective oversight responsibilities and to promote best practice and consistency in information access policies and laws.

Cooperation between jurisdictions allows the sharing of information, which in turn assists each jurisdiction to more effectively utilise their own resources based on the learning and work of other jurisdictions.

The Commissioner hosted a remote meeting of the AIAC in November 2020. The Honourable Chief Justice Peter Quinlan opened the meeting with a pre-recorded message acknowledging the importance of FOI for governmental accountability and transparency. Topics discussed included the then upcoming 12th conference of the International Conference of Information Commissioners (**the ICIC**); the National Metrics on the public use of freedom of information access rights; the Monash University study into FOI access culture in Australia; and plans for International Access to Information Day 2021 (**IAID**).

The AIAC met remotely again in June 2021, hosted by the Office of the ACT Ombudsman. Topics discussed included the ICIC, the Open Government Partnership, preparations for IAID and promotion of proactive disclosure of information principles.

FOI culture research project

In partnership with Monash University, the Office of the Victorian Information Commissioner and the South Australian Ombudsman, the OIC is participating in a research project led by Monash University on *Information Access Culture in Australia – The Promise and Practice of Freedom of Information in the Digital Age*.

The project will run for three years from 2021 and aims to:

- capture and analyse how FOI officers and decision-makers view information access, and the factors that shape their attitudes towards implementing FOI;
- determine the factors that play a key role in determining FOI cultures within agencies;
- identify and develop practical measures that can be implemented by regulators to improve these cultures; and
- identify any additional measures that may be required to improve the interface between records management and FOI practice.

It is intended that the research findings will provide an increased understanding of the culture of administering FOI and inform the OIC's training and awareness programs to increase the functionality of FOI in Western Australia. Well-functioning access to information systems is crucial both for good governance and Australia's participation in the digital economy.

The OIC agreed to contribute \$38,000 to the research project. In April 2021, the project was granted funding by the Australian Research Council.

The next meeting of the participants to the project is scheduled for November 2021, after which further information will be provided to agencies on how they can participate.

Accountability Agencies Collaborative Forum

The Commissioner is a member of the Accountability Agencies Collaborative Forum (**the AACF**), which consists of a number of small independent accountability agencies. The AACF meet as required to discuss opportunities to collaborate, share ideas and provide mutual support. This benefits members by providing a collegial environment to communicate on matters unique to small agencies and with accountability functions.

The Commissioner was appointed as the new Chair of the AACF in December 2020.

International Conference of Information Commissioners

In September 2019 the Commissioner became a member of the [International Conference of Information Commissioners \(the ICIC\)](#). The ICIC is comprised of Information Commissioners and Ombudsmen from across the globe, who meet to discuss issues related to the protection and promotion of the right to public information for the benefit of citizens. The Information Commissioners of Australia, Queensland, New South Wales and Victoria are also members of the ICIC.

In June 2021 the Commissioner attended remote sessions of the 12th International Conference of Information Commissioners, hosted by the Brazilian Office of the General Comptroller. The theme of the conference was *Access to*

information for a changing world: using technology to promote inclusion.

The conference unanimously passed the following [resolution](#):

As the global pandemic continues, the importance of transparency and the right to access information remains. Recognising the role that access to information has in building trust in our global community during times of crisis and beyond, Information Commissioners around the world highlight the importance of the proactive disclosure of information held by governments or public institutions.

The resolution was proposed by the Office of the Australian Information Commissioner and co-sponsored by Information Commissioners from WA, NSW, Victoria, Queensland, New Zealand, Canada and the UK.

The ICIC recognised that public sector agencies make significant decisions that affect public health, civil liberties and economic participation; and that the public's right of access to information relating to the COVID-19 pandemic is of critical importance to the effectiveness of the public health response.

The conference continues with [ICIC Wednesdays](#), a series of open sessions held each month from May to December 2021, on the following topics:

- Transparency and trust in pandemic times;
- Blurred boundaries in access to information: home office and public records management;

- Access to information and Freedom of Press;
- Challenges of Transparency in the Digital Governments: Transparency of public administration in the use of Artificial Intelligence;
- State Secrecy;
- Interplay between data protection and access to information; and
- Environmental Information and P10.

All sessions are available on the ICIC [YouTube channel](#).

National Dashboard of Utilisation of Information Access Rights 2014/15 – 2019/20 released

The National Dashboard of Utilisation of Information Access Rights compares statistics regarding the utilisation of information access rights across jurisdictions within Australia, and the 2019/20 data has recently been added.

The metrics reflect the priorities agreed in Australia's first [Open Government National Action Plan 2016-18](#), to develop uniform metrics on public use of FOI access rights (Commitment 3.2) that promote the importance of better measurement and improve our understanding of the public's use of rights under FOI laws.

Since 2017/18, the OIC has provided additional data about the proportion of access applications dealt with within the statutory

timeframe under the FOI Act. Under the FOI Act, this refers to the percentage of applications dealt with in the 'permitted period'. Section 13(3) of the FOI Act, provides:

For the purposes of this section the permitted period is 45 days after the access application is received or such other period as is agreed between the agency and the applicant or allowed by the Commissioner under subsection (4) or (5).

The data provided by WA agencies in the 2019/20 statistical returns indicated that 87% of access applications made in the State were finalised within the permitted period. This is three percent less than the previous reporting period. Only NSW and the Northern Territory reported a greater percentage of decisions being made within the statutory timeframe.

The data from the 2019/20 dashboard also indicates, amongst other things, that Western Australia has:

- the highest number of applications received by agencies per capita (6.9);
- the third highest percentage of access provided in full or in part (91%) [note: only Victoria and the Northern Territory had a higher percentage at 96%]; and
- the lowest percentage of external reviews received (0.9%), as a percentage of the total number of access applications received by agencies.

The full dashboard of FOI metrics can be found on the NSW Information and Privacy Commissioner's [website](#).

Standing Committee on Public Administration's report 'Consultation with Statutory Office Holders'

Under its [terms of reference](#), the Legislative Council's Standing Committee on Public Administration (**the Committee**) is required to consult regularly with the Commissioner, the Parliamentary Commissioner for Administrative Investigations (the Ombudsman), the Public Sector Commissioner, the Inspector of Custodial Services, and any similar officer. These consultations, in the form of hearings, provide an opportunity for the Commissioner and the Committee to discuss any issue of concern and to further explore issues raised by the Commissioner in her annual reports to Parliament.

In October 2020, the Commissioner and some of her staff gave evidence at a public hearing held by the Committee. The Committee subsequently produced Report No 34, '[Consultation with Statutory Office Holders](#),' which is available on the Parliament's [website](#).

The Committee's report included two recommendations relating to the OIC's external review process. As noted elsewhere in this report, after considering those recommendations, the OIC has produced a new publication regarding procedural fairness and amended our existing external review guide provided to the parties to external review matters. The Committee's report also included a recommendation that the Attorney General undertake a review of the FOI Act, with public consultation, with a report to be tabled in the WA Parliament before the end of 2023.

The Commissioner's response to the Committee's recommendations is published on the Parliament's [website](#).

Western Australian Information Classification Policy

In August 2020, the government launched the WA Information Classification Policy (**the WAICP**). The WAICP provides a common language for agencies to identify risks and apply appropriate sensitivity labels that will assist agencies to protect, store and share their information assets.

During the year, the OIC joined over 26 other agencies, forming the Information Classification Working Group, to develop a toolkit of guides and templates that will be made available to agencies to assist in their implementation of the policy.

Privacy and responsible information sharing

In August 2019 the Department of the Premier and Cabinet (**DPC**) released the Privacy and Responsible Information Sharing for the Western Australian Public Sector Discussion Paper (**the Discussion Paper**) and invited public comment.

The OIC's submission and other submissions in response to the Discussion Paper are available on the WA.gov.au [website](#).

Following our submission, DPC further consulted with the OIC about DPC's responsible information sharing project and we

provided some further assistance within the constraints of our role and legislative remit.

In April 2021, DPC gave the OIC an update on the status of this project, advising that it is progressing, but has been delayed.

The [*Digital Strategy for the Western Australian Government 2021-2025*](#), published on 23 June 2021, states that the WA Government is progressing Privacy and Responsible Information Sharing legislation to bring stronger protections to the personal information held on behalf of the community.

Submissions and consultations

During the reporting period, the Commissioner was formally consulted or requested to make a submission on a number of matters. The following submissions were made in respect of legislative proposals or administrative practices affecting the FOI Act, the OIC or information disclosure more generally.

Feedback relating to the Australian Government's proposed digital identity legislation

At the invitation of the Digital Transformation Agency, the OIC provided feedback in July 2020 on a scoping paper in relation to the Australian Government's proposed digital identity legislation.

The Commissioner provided limited feedback within her statutory constraints, noting that WA does not have currently have privacy legislation or mechanisms for complaints, redress, enforcement or oversight in relation to privacy; that privacy

protections relating to digital identities should be included in primary legislation; and that, to build and maintain public trust, digital identities should be optional rather than mandatory.

Feedback relating to education and prevention functions of Victorian oversight agencies

At the invitation of the Integrity and Oversight Committee (**the Committee**) of the Parliament of Victoria, in August 2020, the Commissioner provided a submission regarding the Committee's *Inquiry into Education and the Victorian Freedom of Information Commissioner, Victorian Ombudsman and Victorian Inspectorate*.

The Commissioner's submission outlined the awareness and training activities of the OIC, as the Western Australian equivalent of the Office of the Victorian Information Commissioner; the benefit of those activities to the work of the OIC, government agencies and the wider community; and the value of inter-jurisdictional cooperation through the Association of Information Access Commissioners in sharing information and resources.

Consultation regarding the PSC Agency Capability Review Program

The Commissioner and one of her officers were invited to participate in the Public Sector Commission (**PSC**) consultation process for the development of an agency capability framework. The framework establishes a sector-wide approach to improvement by identifying the capabilities needed to be a high-performing agency.

The OIC was particularly consulted in relation to the *Governance and accountability* aspect of the proposed framework, with a particular emphasis on *Information and data*. The OIC provided some assistance to the PSC, addressing issues regarding data and information management responsibilities, including FOI.

Audit outcomes

Internal audit

In June 2021, the OIC engaged Assurance Advisory Group to conduct the annual internal audit of the OIC's finance and human resource processes and controls.

The internal audit report indicated a satisfactory result. A number of low risk observations were made with the following recommendations:

- arrange third party review of transaction corrections;
- review the treatment of salary accruals during the year;
- review the recording and treatment of some leave entitlements; and
- ensure that accurate and robust reports are provided from payroll systems.

External audit

The audit opinion from the Auditor General identified no reportable issues in the financial statements, key performance indicators or controls for 2020/21.

In July 2020, the OIC's finance manual was finalised, which combined the financial policies and procedures into a single comprehensive user-friendly document.

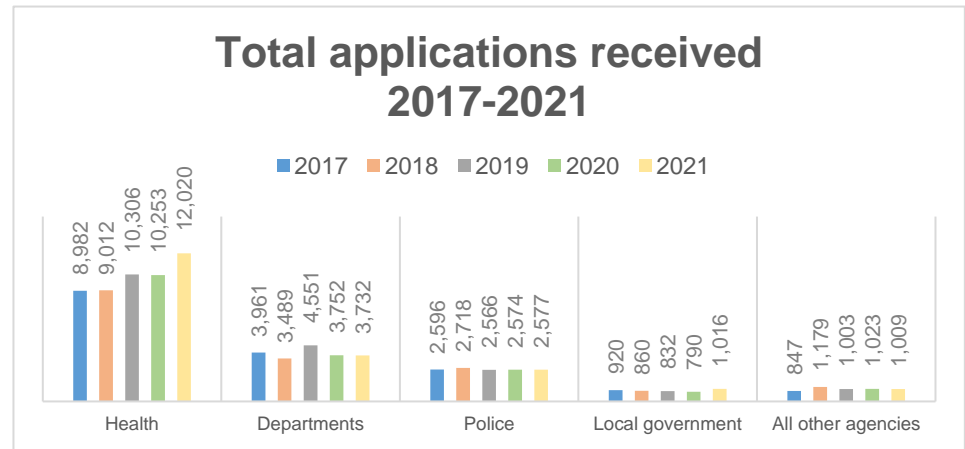
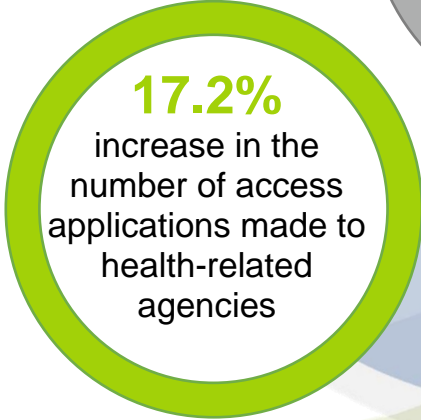
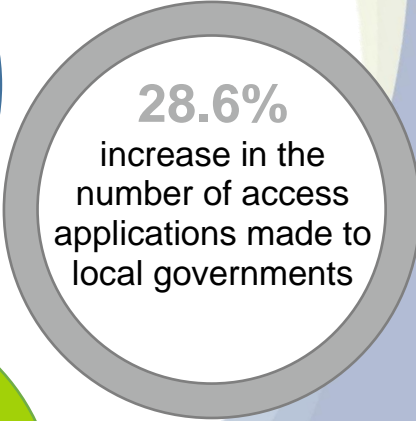
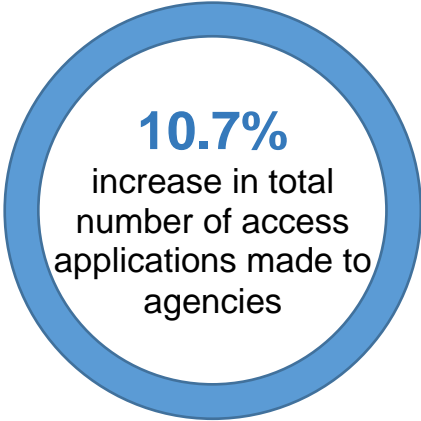
Disclosures and legal compliance

FOI in the sector

Section 111 of the FOI Act requires that the Commissioner’s annual report to Parliament is to include certain specified information relating to the number and nature of applications dealt with by agencies under the FOI Act during the year. To enable that to occur, agencies are required to provide the Commissioner with the specified information. That information for 2020/21 is set out in detail in the statistical tables in the [Agency Statistics](#) chapter of this report. The following is an overview of key points.

Valid access applications received by agencies

Agency category	2020/21
Health-related agencies	12,020
Departments (except Police and Health-related agencies)	3,732
Police	2,577
Local government	1,016
All other agencies:	1,009
-Boards, Committees, Commissions, Authorities, Corporations (900)	
-Ministers (58)	
-Universities (51)	
TOTAL	20,354

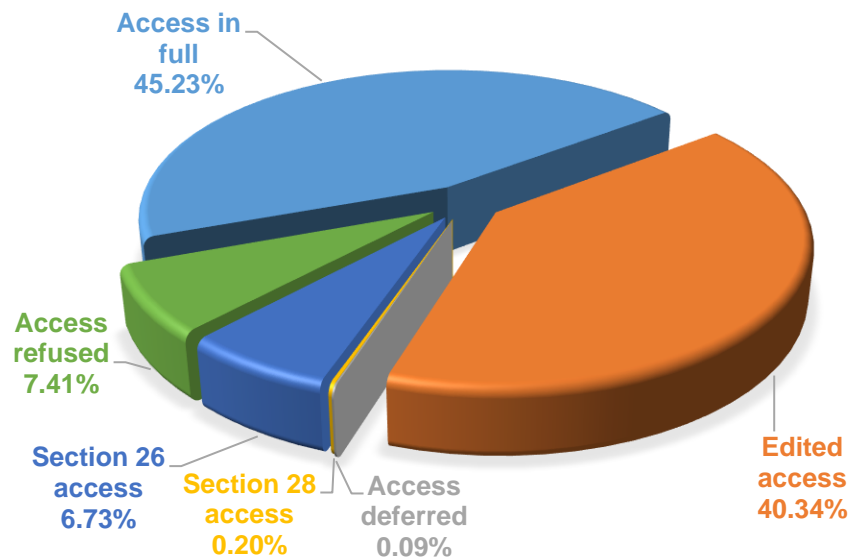


Agency decisions

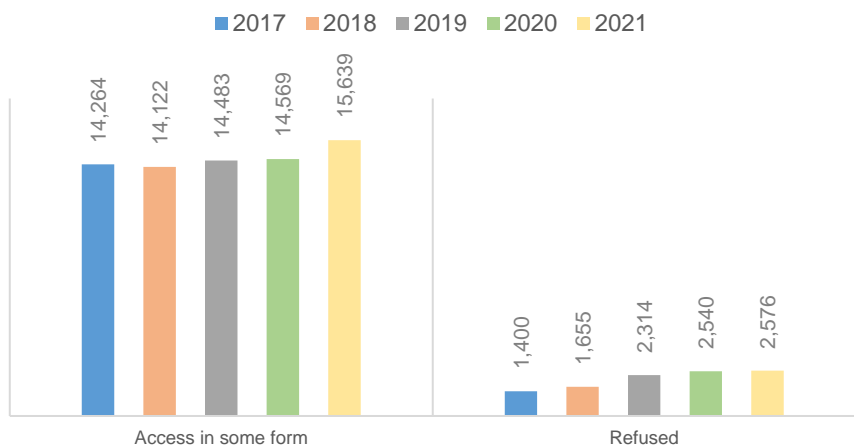
Agency category	Give access				Refuse access	
	Access in full No. (%)	Edited Access No. (%)	Deferred access No. (%)	Access under s.28 No. (%)	s.26 No. (%)	Refused No. (%)
Boards, Committees, Commissions, Authorities, Corporations	354 (40.3)	450 (51.3)	0 (0)	0 (0)	46 (5.2)	28 (3.2)
Departments (except Police and Health-related agencies)	543 (16.1)	1,909 (56.7)	6 (0.2)	4 (0.1)	647 (19.2)	256 (7.6)
Health-related agencies	6,905 (61.9)	3,701 (33.2)	9 (0.1)	32 (0.3)	419 (3.7)	95 (0.8)
Local Governments	115 (12.4)	725 (78.5)	2 (0.2)	0 (0)	46 (5)	36 (3.9)
Ministers	13 (31.7)	18 (43.9)	0 (0)	0 (0)	7 (17.1)	3 (7.3)
Police	306 (17)	518 (28.7)	0 (0)	0 (0)	60 (3.3)	921 (51)
Universities	2 (4.9)	27 (65.9)	0 (0)	0 (0)	1 (2.4)	11 (26.8)
TOTAL	8,238	7,348	17	36	1,226	1,350
Percentage	45.23%	40.34%	0.09%	0.20%	6.73%	7.41%
GRAND TOTAL	18,215					

- 18,215 decisions were made by agencies in response to access applications during the year.
- A further 884 access applications were withdrawn.
- 85.9% of decisions resulted in the applicant receiving some form of access, whether in full; in part; by way of deferred access under section 25 of the FOI Act; or through a medical practitioner in accordance with section 28 of the FOI Act.
- 14.1% of decisions were to refuse access to documents in full, either under section 26 of the FOI Act on the basis that the documents could not be found or did not exist; because the documents were exempt in full; or because the agency refused to deal with an access application on the ground that it would divert a substantial and unreasonable portion of the agency's resources away from its other operations, as outlined under section 20 of the FOI Act.
- This year agencies were given the option of reporting section 20 decisions separately, and have been advised that it will be a requirement for the 2021/22 reporting year. This year 15 agencies reported a total of 40 decisions were made under section 20, and those have been counted as 'access refused' in this report, as in previous years.

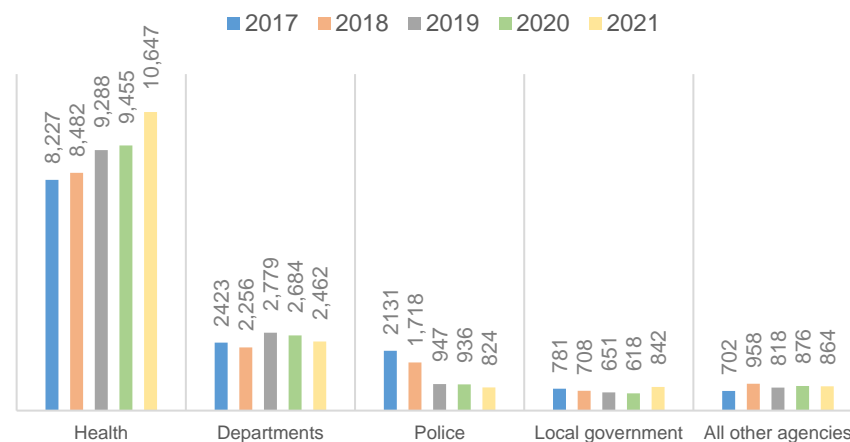
Agency decisions made 2020/21



Total outcomes 2017-2021



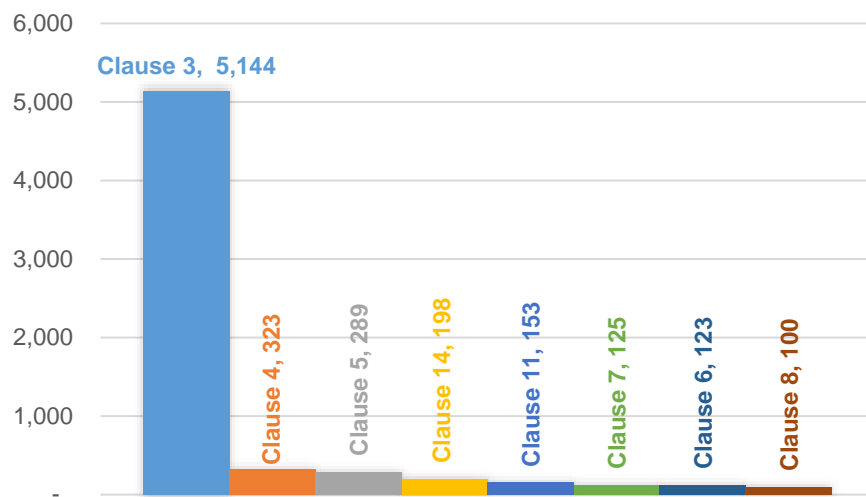
Access provided in some form 2017-2021



Exemptions

Agency category	EXEMPTION CLAUSE (Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Boards, Committees, Commissions, Authorities, Corporations	1	0	257	18	0	7	47	27	15	0	6	2	3	0	0	1
Departments (except Police and Health-related agencies)	34	5	1734	226	0	164	57	57	47	0	11	144	14	1	196	0
Health-related agencies	2	2	2001	6	0	4	6	5	12	0	0	3	2	0	1	0
Local Governments	0	0	502	69	0	23	5	22	17	0	2	1	0	0	0	0
Ministers	7	0	12	3	0	1	0	6	2	0	3	0	3	0	0	0
Police	6	0	612	0	0	90	5	6	1	0	0	2	0	0	1	0
Universities	0	0	26	1	0	0	3	2	6	0	2	1	0	0	0	0
TOTAL	50	7	5,144	323	0	289	123	125	100	0	24	153	22	1	198	1

Top 8 exemption clauses claimed 2020/21



78%
of exemption claims were clause 3

Clause 3
Exempts from disclosure personal information about individuals (subject to limitations)

Fees and charges imposed by agencies

No fees or charges apply for applications that are limited to personal information about the applicant only. However, if the applicant is seeking more than their own personal information (a non-personal application), an application fee of \$30 is required to make a valid access application under the FOI Act. If it is a non-personal application, the agency may also impose charges for dealing with the application in accordance with the FOI Act and FOI Regulations. Agencies are not required to impose charges.

- A total of \$137,884 in access application fees was collected by agencies in the reporting period.
- \$38,093 in charges was imposed by agencies. An average of \$5.98 was charged per access application. However, in the majority of access applications no charges were imposed.

Information about the fee for making a non-personal access application and the charges that an agency may impose in relation to a non-personal access application is available in the OIC publication – [How much does it cost?](#)

Agency timeframes for dealing with access applications

An agency is required to deal with an access application as soon as is practicable; and in any event, within the permitted period. The permitted period is: 45 days after the access application is received; or such other period as is agreed

between the agency and the access applicant; or such other period as is allowed by the Information Commissioner.

The average time for dealing with access applications in the reporting period was 33.1 days (33.7 days last year), which remains within the 45 days provided in the FOI Act.

Decisions made outside the permitted period

Agency type	# of agencies	# of matters
State government (not including health-related agencies services)	36	349
Health-related agencies	15	2457
Local government	14	63
TOTAL	65	2,869

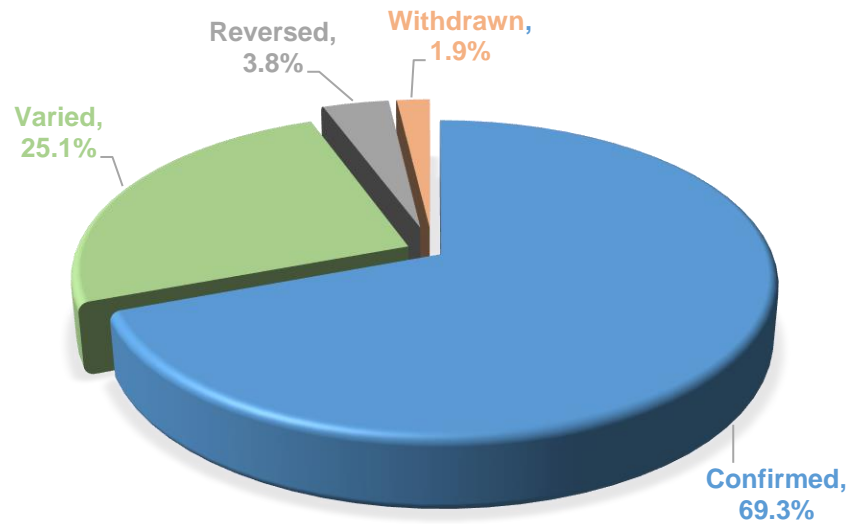
- Of the 15,215 valid applications made to agencies during the year, 15.8% were not dealt with in the permitted period, compared to 12.5% last year.
- 64.3% of agencies reported that they dealt with all their access applications within the permitted period.

Information about timeframes under the FOI Act is available in the OIC publication – [How long should it take to deal with an access application?](#)

Internal review

- Agencies received 302 applications for internal review of decisions relating to access applications. This represents 1.7% of all decisions made.
- 92 (28.8%) internal review applications resulted in the initial decision being varied or reversed.

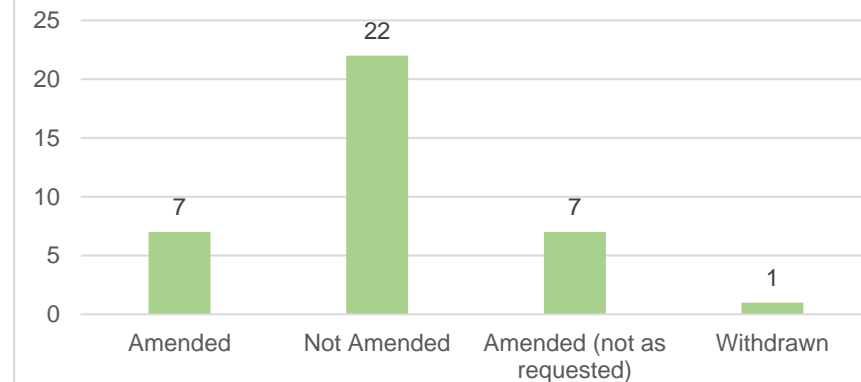
Internal review outcomes 2020/21



Amendment of personal information

- 39 applications for amendment of personal information were received and 37 applications were finalised during 2020/21.
- 8 applications for internal review of amendment decisions were received during the year.
- 7 decisions were made on internal review of amendment decisions, all of which were to confirm the initial decision.

Amendment of personal information outcomes 2020/21



Financial disclosures

Fees and charges

The external review services provided by the OIC are free of charge. The fees and charges prescribed by the FOI Act for making an FOI application are paid directly to the agency receiving the application.

Workers' compensation

There were no workers' compensation claims made during the reporting period.

Corporate credit card

There were three instances of a corporate credit card being used for private expenses, outlined below. All were unintentional errors reported immediately by the officer.

- An officer used their corporate card instead of their personal card to register to attend an event, costing \$10.00. The error was brought to the attention of the Chief Finance Officer who made arrangements with the cardholder for the amount to be reimbursed. The reimbursement of \$10.00 was received in August 2020.
- An officer made a payment using the corporate PayPal account instead of their private account. The officer brought the error to the attention of the Administrative Support Officer who made arrangements with the cardholder for the amount to be reimbursed. The reimbursement of \$3.00 was received in November 2020.

- An officer used the corporate card instead of their personal card to pay for parking at a City of Perth parking facility for a private function. The error was brought to the attention of the Acting Executive Officer who made arrangements with the cardholder for the amount to be reimbursed. The reimbursement of \$12.32 was received in June 2021.

Asset replacement

The OIC's strategic asset plan approved for 2019/20 proposed to spend \$31,000 to upgrade equipment and invest in a document management system. These funds were carried over into 2020/21.

In July 2020 a new document centre was purchased, at a cost of \$9,000. The balance remains unspent, pending further research into a fit for purpose document management system, and update of the existing operating environment to support any new system.

Employment and industrial relations

Staff profile

	2021	2020
Full-time permanent	7	7
Full-time contract	1	1
Part-time contract	1	0
Part-time measured on a FTE basis	3	2.2

Staff movements

- A recruitment process was conducted in early 2020 to appoint two Investigations/Legal Officers. These appointments were delayed due to restricted working arrangements in the early stages of the COVID-19 pandemic. Appointments of one full-time permanent FTE and one 0.6 FTE on a six month contract commenced in July 2020. The six month contract was subsequently extended until January 2023.
- From 8 January 2021, the substantive occupant of the Senior Legal Officer position returned to part-time hours of 0.8 FTE. The hours had been temporarily increased to full-time from 15 May 2020.

In addition to staff appointments, the OIC accepted the short-term secondment of a research officer from the Legislative Assembly from January to March 2021 during the Parliamentary recess period.

Staff development

Continuing Staff Development (CPD)

The OIC employs legal practitioners who, under section 36(3) of the *Legal Profession Act 2008*, are taken to hold local practising certificates. Those legal practitioners maintain and broaden their legal knowledge by obtaining CPD points in accordance with the *Legal Profession Rules 2009*. The OIC maintains a register of CPD points attained by each legal staff member.

Other professional development

Staff are encouraged to attend various learning opportunities that arise. During the period, over 136 events were attended by various staff members during the year. The increase in webinars and online training has provided greater opportunity for staff to attend more events.

In addition to seminars and workshops, when relevant, the OIC provides the opportunity for staff to achieve qualifications that promote skills development and career progress.

Governance disclosures

- No senior officers, or firms of which senior officers are members, or entities in which senior officers have substantial interests, had any interests in existing or proposed contracts with the OIC other than normal contracts of employment service.
- The OIC has no boards or committees, and therefore no remuneration costs in this regard.

Expenditure on advertising, market research, polling and direct mail

No expenditure was spent on advertising agencies, polling organisations, direct mail organisations or media advertising organisations.

Conflicts of interest

The OIC maintains a Conflicts of Interest Register. During the reporting period, no conflicts were registered.

Gifts register

The OIC has a gifts policy that has been modelled on the practice guide published by the Integrity Coordinating Group. This policy requires the maintenance of a gifts register, which is published on our [website](#). Small gifts for services provided (predominantly for briefings or speaking engagements) are generally accepted and shared within the office. Gifts that are promoting services or where a discretionary authority exists with the gift recipient (e.g. purchasing discretion), are declined.

During the reporting year, there were no gifts registered as accepted.

Disability Access and Inclusion Plan

As required under the *Disability Services Act 1993*, the OIC publishes a Disability Access and Inclusion Plan (**DAIP**). The purpose of the DAIP is to ensure that people with a disability, their families, and carers are able to fully access the range of services and facilities of the OIC.

The DAIP outlines the seven desired outcomes the OIC has committed to achieving:

1. People with a disability have the same opportunities as other people to access the services of, and any events organised by, a public authority.

2. People with a disability have the same opportunities as other people to access the buildings and other facilities of a public authority.
3. People with a disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.
4. People with a disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.
5. People with a disability have the same opportunities as other people to make complaints to a public authority.
6. People with a disability have the same opportunities as other people to participate in any public consultation by a public authority.
7. People with a disability have the same opportunities as other people to obtain and maintain employment with a public authority.

The OIC's DAIP also addresses the issue of people with a disability being able to exercise their rights under the FOI Act. The FOI Act requires that applications must be made in writing, and the OIC recognises this may present an obstacle for people with a disability. As FOI applications are made directly to the relevant State or local government agency, the onus is on those agencies to ensure all applicants have the same opportunity to make an FOI application. This is encapsulated in sections 11(2) and 11(3) of the FOI Act, which require agencies to take reasonable steps to help applicants to make a valid FOI application.

A yearly progress report on the initiatives in the DAIP has been lodged with the Department of Communities. The majority of strategies are ongoing practices, such as maintaining access to premises and employment opportunities that may arise. Specific strategies that aim to improve current services and practices are focussed on updating the OIC's website to make it more accessible, such as by including audio links and translations.

The DAIP is available on the OIC's [website](#), or copies can be requested from this office.

Compliance with Public Sector Standards and ethical codes

The OIC operates under an established code of conduct that references the WA Public Sector Code of Ethics (**the Code**). The OIC also has an employee grievance resolution policy in place. All new staff are provided with a copy of the Code and grievance policy as part of an induction pack, and these documents are also available to all staff on the OIC's knowledge management system.

Complaints about the OIC

The OIC's complaints policy and procedures has been developed in line with the *Australian and New Zealand Standard Guidelines for complaint handling in organizations AS/NZS 10002:2014*. A complaint under the OIC complaints policy and procedure is an expression of dissatisfaction about the actions or services of the OIC, or the associated conduct of the Commissioner and/or OIC staff, and may be either a

general comment or a formal complaint that requires investigation and response.

Complaints made to the OIC about the way that a State or local government has managed an FOI request, or about the outcome of FOI requests, are not covered by the OIC complaints policy.

During the reporting year, the OIC received one formal complaint from a member of the public, relating to the manner in which a staff member dealt with their enquiry. The matter was investigated by the Commissioner. It was acknowledged that some additional information could have been provided when dealing with the initial enquiry but that the officer had provided all possible assistance within the remit of the OIC. Some additional information to complement the initial advice was provided as part of the Commissioner's response. No further correspondence was received in respect of the complaint.

Our aim is to provide a response to complaints within 20 days of receipt. In this instance the response was provided in 23 days.

A copy of the complaints procedure is available on the OIC's [website](#).

Occupational safety, health and injury management

The OIC is committed to an occupational safety, health and injury management system which has been established for the benefit of all staff. A documented injury management system is

in place which is compliant with the *Workers' Compensation and Injury Management Act 1981* and the associated *Workers' Compensation Code of Practice (Injury Management) 2005*. This system has been formally introduced to staff and is made available through the OIC's knowledge management system.

Relevant staff are conversant with occupational health and safety and injury management policies, procedures and programs in order to meet legislative requirements, and all staff are provided the opportunity to report any issues at the monthly staff meetings via a standing agenda item for this purpose. There were no reported injuries or fatalities during the reporting period (see [Table 12](#)).

Risk management

The OIC has an established Risk Management Steering Committee (**RMSC**). During the year, the RMSC has continued to focus on business continuity, safe work practices and the general health and safety of staff arising from the COVID-19 pandemic.

The RMSC recognises that business continuity and issues resulting from COVID-19 is only one aspect of the OIC's overall risk management. *Treasurer's Instruction 825* requires the OIC to assess the risks relating to financial risks; reputational risks; operational risks; project risks; shared risks with other agencies; and emerging risks such as climate change risks and cybersecurity risks.

To assist with the OIC's risk management, the OIC proposes to engage external consultants to review our current processes and documentation, including our risk management policy and

procedures and risk register; and to provide recommendations regarding our ongoing risk management.

During the reporting year, the following outcomes were achieved.

Action plans

The OIC's action plan for extended remote operations was revised during the year, taking into account staff feedback following the lockdowns in early 2020. The action plan outlines the actions to be taken, and resources to be used, to facilitate critical business activities continuing in the event that the OIC is required to operate remotely for an extended period. It also outlines the response teams for each functional area and the responsibilities of individual staff members.

Remote working risk register

A register of potential risks and mitigation actions for remote working has been developed and continues to be monitored.

Cybersecurity

The OIC worked with the Office of Digital Government (**ODG**) to discuss the status of the OIC's information technology and improve the overall security of the OIC's systems. In June 2021 the ODG conducted a vulnerability assessment of the OIC's network for the purpose of identifying security deficiencies and providing mitigation recommendations. A report on the findings was received in July 2021, and the issues and recommendations are being addressed.

Financial risk

As required by *Treasurer's Instruction 1201*, agencies are required to maintain an internal audit function and form an Internal Audit Committee to oversee that function. The Internal Audit Committee met twice during the year and recommended the OIC engage alternate internal audit providers, as the same consultants had been used for over three years.

Financial risk and compliance issues have traditionally been addressed during internal and external audits. As part of the review of the OIC's overall management of risks, financial risks will be incorporated into the broader risk management of the OIC.

Records management

Last year it was reported that the OIC had submitted a report to the State Records Office (**SRO**), after a review of its recordkeeping plan, and that the following actions were proposed to be finalised by March 2021, together with a full review of the OIC's recordkeeping plan:

- conducting a formal evaluation of the recordkeeping system;
- developing a records disaster recovery plan separate from the current recordkeeping plan and business continuity plan;
- creating a separate vital records register and include mechanisms for review;
- implementing the disposal policy; and

- testing of performance indicators for comparison to prior testing.

A preliminary review of the OIC's current recordkeeping plan has been carried out. Work has commenced to update the recordkeeping plan, to develop a separate records disaster recovery plan and to create a vital records register. The OIC was unable to meet the March 2021 due date and received an extension from the SRO to September 2021.

Key Performance Indicators


Certification of Key Performance Indicators

We hereby certify that the key performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the performance of the Office of the Information Commissioner, and fairly represent the performance of the Office of the Information Commissioner for the financial year ended 30 June 2021.



Catherine Fletcher
Information Commissioner

13 September 2021



Tony Pruyn
Manager Complaints

13 September 2021



Government Goal

Strong Communities:

Safe communities and supported families.

Desired outcome

Access to documents and observance of processes in accordance with the FOI Act.

Description

Under the FOI Act, the main function of the Information Commissioner (**the Commissioner**) is to provide independent external review of agencies' decisions by dealing with complaints about decisions made by agencies under the FOI Act. The Commissioner's other responsibilities include:

- ensuring that agencies are aware of their responsibilities under the FOI Act;
- ensuring members of the public are aware of the FOI Act and their rights under it;
- providing assistance to members of the public and agencies on matters relevant to the FOI Act; and
- recommending to Parliament legislative or administrative changes that could be made to help the objects of the FOI Act to be achieved.

The OIC is made up of the Commissioner and the staff appointed by the Governor to assist the Commissioner to discharge those functions and responsibilities under delegated authority. These functions take the form of two outputs.

Service 1: Resolution of Complaints

Service 2: Advice and Awareness

The intent of the FOI Act is to ensure that proceedings on external review are conducted with as little formality and technicality as the requirements of the FOI Act and a proper consideration of the matters before the Commissioner permit. Therefore, when dealing with external reviews (complaints), the policy of the Commissioner is to ensure that wherever possible the conduct of external review proceedings is not unduly legalistic or formal. Accordingly, the preferred method of resolving complaints is by negotiating a conciliated outcome between the parties. However, where a conciliated outcome cannot reasonably be achieved, the Commissioner is required to make a determination and will either publish a written decision with reasons or decide to stop dealing with a matter which is lacking in substance under section 67 of the FOI Act.

Officers delivering the Advice and Awareness output also emphasise the spirit of the FOI Act when delivering advisory services. Wherever possible, agencies are encouraged to release information outside the FOI process where it is appropriate to do so and, where necessary, to follow the correct processes for dealing with an access application or an application for amendment of personal information under the FOI Act. Policy development within agencies that establishes

routine information disclosure outside formal FOI processes is encouraged to minimise the impact of the obligations on the day-to-day operations of agencies. Many potential disputes are also resolved informally with assistance from the OIC.

The Key Performance Indicators (**the KPIs**) of the OIC detailed below have been designed to reflect the satisfaction of parties who utilise the services of the OIC, show the extent to which conciliation is achieved and measure efficiency by relating workload to costs. There are three Effectiveness KPIs and two Efficiency KPIs, which are summarised below.

Key Effectiveness Indicators

1. Satisfaction of parties with external review process.
2. Satisfaction of agencies with advice and guidance provided.
3. The extent to which complaints were resolved by conciliation.

Key Efficiency Indicators

4. Average cost of external reviews finalised.
5. Average cost of advisory services delivered per recipient.

Key effectiveness indicators

Satisfaction of parties with external review process

	2017	2018	2019	2020	2021
Target	85%	85%	85%	85%	85%
Outcome	88%	80%	82%	78%	76%

The above indicator shows the level of satisfaction with the external review process by the parties to each of the external reviews finalised during the year.

A Post Review Questionnaire (**PRQ**) is sent to the parties to an external review to seek their views on whether there was an independent, objective and fair process with an emphasis on user-friendly processes which met their needs. Four key questions are asked:

1. Were you satisfied with the outcome of the external review?
2. Regardless of the outcome, were you satisfied with the manner in which the external review was conducted by the OIC?
3. Do you consider that you were kept adequately informed regarding the progress of the external review?
4. Was the officer assigned to the external review professional in his or her dealings with you?

A PRQ was sent to 336 parties who participated in an external review process following finalisation of the review process. 149 participants returned a completed PRQ. 88 responses were received from agencies, 59 were received from complainants and one was received from a third party. The total response rate from all participants was 44%.

The outcome of answers to question 2 above is used to calculate this indicator. The answers to questions 1, 3 and 4 are also used by the OIC, but for internal management purposes. Information in response to all four questions is taken into account when reviewing external review procedures.

Of the 149 respondents, 113 (76%) answered 'yes' to question 2 and confirmed that they were satisfied with the manner in which the external review was conducted by the OIC.

Satisfaction of agencies with advice and guidance provided

	2017	2018	2019	2020	2021
Target	98%	98%	98%	98%	98%
Outcome	98%	99%	99%	98%	100%

The Advice and Awareness section of the OIC provides a range of advisory services. Those services are provided direct by telephone, email and counter enquiries and through group training presentations and briefings and indirectly through published information and the website of the OIC.

A survey is conducted on an annual basis in conjunction with the annual statistical returns of agencies. The survey was sent to each of 277 State and local government agencies and Ministers. Of the 277 surveys sent, 268 agencies (96.7%) responded by returning a completed survey. Of the 268 respondent agencies, 140 (52.2%) confirmed receiving advice and guidance from this office.

Of those 140 agencies that received advice, all 140 agencies (100%) expressed satisfaction with the advice and guidance provided to them by this office.

The extent to which external reviews (complaints) were resolved by conciliation

The external review model adopted by the OIC emphasises informal resolution processes such as negotiation and conciliation, wherever possible. If an external review cannot be resolved by conciliation between the parties, the Commissioner is required to make a formal determination.

This KPI is designed to represent the success rate of the preferred resolution method. Therefore, the KPI shows, as a percentage, those external reviews finalised by conciliation as opposed to those that required a decision by the Commissioner.

	2017	2018	2019	2020	2021
Target	60%	60%	70%	70%	70%
Outcome	69%	77%	82%	64%	63%

In total, 460 matters of all types were finalised by the OIC in 2020/21. However, of those 460 matters, only 180 were complaints (external reviews), as defined in s.65 of the FOI Act. Of the 180 external reviews resolved in 2020/21, 114 (63%) were resolved by conciliation. That is, as a result of inquiries conducted by the OIC, no issues remained in dispute which required a decision by the Commissioner.

Key efficiency indicators

The OIC delivers services under the two main functions prescribed by the FOI Act. As the primary function of the OIC is to deal with external reviews (complaints) received under the FOI Act, approximately 70% of the OIC's resources are allocated to that function. The other main function of the OIC is to provide advisory services to agencies and to the public. About 30% of the OIC's resources are allocated to the delivery of advice and awareness services.

Output 1 - Resolution of Complaints *Average cost of external reviews finalised*

Included in calculating this KPI are only those matters dealt with by the Resolution of Complaints section of the OIC in 2020/21 which were formal "complaints" (see s.65 of the FOI Act) and applications that required a determination under the FOI Act rather than general administrative complaints or requests for assistance that are not technically "complaints" as per the FOI Act. General requests for assistance or for the intervention of the OIC, including misdirected applications, are reported on as part of the output of the Advice and Awareness Services. Most of those kinds of matters are dealt with by officers in the Advice and Awareness section of the OIC.

	2017	2018	2019	2020	2021
Budget	\$8,067	\$9,190	\$10,966	\$7,206	\$6,788
Actual	\$8,844	\$8,075	\$7,414	\$7,709	\$7,155

The table above reflects the costs incurred in resolving external reviews and applications (e.g. to lodge an external review out of time; permission not to consult; etc.) that may require a determination. It is calculated by dividing the number of external reviews and applications resolved by the OIC in 2020/21 (229) into the "Total Cost of Services" for the Resolution of Complaints output.

Output 2 – Advice and Awareness Services *Average cost of advisory services delivered per recipient*

In calculating this KPI, the total output units delivered by the Advice and Awareness section of the OIC in 2020/21 was used. The output units recorded by the OIC relate to where direct advisory services were provided. Those units will consist of a total of all telephone calls attended, written advice given by email and letter, counter inquiries attended and recipients of training and briefings.

	2017	2018	2019	2020	2021
Budget	\$268	\$240	\$215	\$364	\$324
Actual	\$251	\$249	\$316	\$283	\$215

The table above reflects the average cost of providing advice and awareness services to recipients. It is calculated by dividing the total number of recipients of advice and awareness services provided by the OIC in 2020/21 (3,262) into 'Total Cost of Service' for the Advice and Awareness output.



Financial Statements

Disclosures and Legal Compliance

FINANCIAL STATEMENTS
Certification of financial statements
For the reporting period ended 30 June 2021

The accompanying financial statements of the Office of the Information Commissioner have been prepared in compliance with the provisions of the *Financial Management Act 2006* from proper accounts and records to present fairly the financial transactions for the reporting period ended 30 June 2021 and the financial position as at 30 June 2021.

At the date of signing we are not aware of any circumstances which would render the particulars included within the financial statements misleading or inaccurate.

Catherine Fletcher
Catherine Fletcher (Sep 13, 2021 16:07 GMT+8)

Catherine Fletcher
Information Commissioner
13 September 2021

Michelle Fitzgerald

Michelle Fitzgerald
Chief Finance Officer
13 September 2021



Auditor General

INDEPENDENT AUDITOR'S OPINION
2021
Office of the Information Commissioner

To the Parliament of Western Australia

Report on the audit of the financial statements

Opinion

I have audited the financial statements of the Office of the Information Commissioner which comprise:

- the Statement of Financial Position at 30 June 2021, and the Statement of Comprehensive Income, Statement of Changes in Equity, Statement of Cash Flows and Summary of Consolidated Account Appropriations for the year then ended
- Notes comprising a summary of significant accounting policies and other explanatory information.

In my opinion, the financial statements are:

- based on proper accounts and present fairly, in all material respects, the operating results and cash flows of the Office of the Information Commissioner for the year ended 30 June 2021 and the financial position at the end of that period
- in accordance with Australian Accounting Standards, the *Financial Management Act 2006* and the Treasurer's Instructions.

Basis for opinion

I conducted my audit in accordance with the Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my report.

I am independent of the Commissioner in accordance with the *Auditor General Act 2006* and the relevant ethical requirements of the Accounting Professional & Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to my audit of the financial statements. I have also fulfilled my other ethical responsibilities in accordance with the Code.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Page 1 of 5

7th Floor Albert Facey House 469 Wellington Street Perth MAIL TO: Perth BC PO Box 8489 Perth WA 6849 TEL: 08 6557 7500

Responsibilities of the Information Commissioner for the financial statements

The Information Commissioner is responsible for:

- keeping proper accounts
- preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, the *Financial Management Act 2006* and the Treasurer's Instructions
- such internal control as it determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Information Commissioner is responsible for:

- assessing the entity's ability to continue as a going concern
- disclosing, as applicable, matters related to going concern
- using the going concern basis of accounting unless the Western Australian Government has made policy or funding decisions affecting the continued existence of the Commissioner.

Auditor's responsibilities for the audit of the financial statements

As required by the *Auditor General Act 2006*, my responsibility is to express an opinion on the financial statements. The objectives of my audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.

A further description of my responsibilities for the audit of the financial statements is located on the Auditing and Assurance Standards Board website. This description forms part of my auditor's report and can be found at https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf.

Report on the audit of controls

Opinion

I have undertaken a reasonable assurance engagement on the design and implementation of controls exercised by the Office of the Information Commissioner. The controls exercised by the Information Commissioner are those policies and procedures established to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions (the overall control objectives).

My opinion has been formed on the basis of the matters outlined in this report.

In my opinion, in all material respects, the controls exercised by the Office of the Information Commissioner are sufficiently adequate to provide reasonable assurance that the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities have been in accordance with legislative provisions during the year ended 30 June 2021.

The Information Commissioner's responsibilities

The Information Commissioner is responsible for designing, implementing and maintaining controls to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities are in accordance with the *Financial Management Act 2006*, the Treasurer's Instructions and other relevant written law.

Auditor General's responsibilities

As required by the *Auditor General Act 2006*, my responsibility as an assurance practitioner is to express an opinion on the suitability of the design of the controls to achieve the overall control objectives and the implementation of the controls as designed. I conducted my engagement in accordance with Standard on Assurance Engagements ASAE 3150 *Assurance Engagements on Controls* issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements and plan and perform my procedures to obtain reasonable assurance about whether, in all material respects, the controls are suitably designed to achieve the overall control objectives and were implemented as designed.

An assurance engagement involves performing procedures to obtain evidence about the suitability of the controls design to achieve the overall control objectives and the implementation of those controls. The procedures selected depend on my judgement, including an assessment of the risks that controls are not suitably designed or implemented as designed. My procedures included testing the implementation of those controls that I consider necessary to achieve the overall control objectives.

I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Limitations of controls

Because of the inherent limitations of any internal control structure, it is possible that, even if the controls are suitably designed and implemented as designed, once in operation, the overall control objectives may not be achieved so that fraud, error or non-compliance with laws and regulations may occur and not be detected. Any projection of the outcome of the evaluation of the suitability of the design of controls to future periods is subject to the risk that the controls may become unsuitable because of changes in conditions.

Report on the audit of the key performance indicators

Opinion

I have undertaken a reasonable assurance engagement on the key performance indicators of the Office of the Information Commissioner for the year ended 30 June 2021. The key performance indicators are the Under Treasurer-approved key effectiveness indicators and key efficiency indicators that provide performance information about achieving outcomes and delivering services.

In my opinion, in all material respects, the key performance indicators of the Office of the Information Commissioner are relevant and appropriate to assist users to assess the Commissioner's performance and fairly represent indicated performance for the year ended 30 June 2021.

The Information Commissioner's responsibilities for the key performance indicators

The Information Commissioner is responsible for the preparation and fair presentation of the key performance indicators in accordance with the *Financial Management Act 2006* and the Treasurer's Instructions and for such internal control as the Information Commissioner determines necessary to enable the preparation of key performance indicators that are free from material misstatement, whether due to fraud or error.

In preparing the key performance indicators, the Commissioner is responsible for identifying key performance indicators that are relevant and appropriate, having regard to their purpose in accordance with Treasurer's Instruction 904 *Key Performance Indicators*.

Auditor General's responsibilities

As required by the *Auditor General Act 2006*, my responsibility as an assurance practitioner is to express an opinion on the key performance indicators. The objectives of my engagement are to obtain reasonable assurance about whether the key performance indicators are relevant and appropriate to assist users to assess the entity's performance and whether the key performance indicators are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. I conducted my engagement in accordance with Standard on Assurance Engagements ASAE 3000 *Assurance Engagements Other than Audits or Reviews of Historical Financial Information* issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements relating to assurance engagements.

An assurance engagement involves performing procedures to obtain evidence about the amounts and disclosures in the key performance indicators. It also involves evaluating the relevance and appropriateness of the key performance indicators against the criteria and guidance in Treasurer's Instruction 904 for measuring the extent of outcome achievement and the efficiency of service delivery. The procedures selected depend on my judgement, including the assessment of the risks of material misstatement of the key performance indicators. In making these risk assessments I obtain an understanding of internal control relevant to the engagement in order to design procedures that are appropriate in the circumstances.

I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

My independence and quality control relating to the reports on controls and key performance indicators

I have complied with the independence requirements of the *Auditor General Act 2006* and the relevant ethical requirements relating to assurance engagements. In accordance with ASQC 1 *Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, and Other Assurance Engagements*, the Office of the Auditor General maintains a comprehensive system of quality control including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

Other information

The Information Commissioner is responsible for the other information. The other information is the information in the entity's annual report for the year ended 30 June 2021, but not the financial statements, key performance indicators and my auditor's report.

My opinions do not cover the other information and, accordingly, I do not express any form of assurance conclusion thereon.

Matters relating to the electronic publication of the audited financial statements and key performance indicators

This auditor's report relates to the financial statements, controls and key performance indicators of the Office of the Information Commissioner for the year ended 30 June 2021 included on the Commissioner's website. The Commissioner's management is responsible for the integrity of the Commissioner's website. This audit does not provide assurance on the integrity of the Commissioner's website. The auditor's report refers only to the financial statements, controls and key performance indicators described above. It does not provide an opinion on any other information which may have been hyperlinked to/from these financial statements, controls or key performance indicators. If users of the financial statements, controls and key performance indicators are concerned with the inherent risks arising from publication on a website, they are advised to contact the entity to confirm the information contained in the website version of the financial statements, controls and key performance indicators.



Eftalia Samaras
Senior Director Financial Audit
Delegate of the Auditor General for Western Australia
Perth, Western Australia
14 September 2021

Statement of Comprehensive Income – 30 June 2021

	Note	2021 \$	2020 \$
Cost of services			
<i>Expenses</i>			
Employee benefits expense	2.1(a)	1,657,364	1,505,817
Supplies and services	2.2	390,489	400,258
Depreciation expense	4.1.1	1,705	1,063
Accommodation expenses	2.2	201,222	201,222
Other expenses	2.2	89,795	102,476
Total cost of services		2,340,575	2,210,835
<i>Income</i>			
<u>Revenue</u>			
Other revenue	3.2	112	35,690
Total Revenue		112	35,690
Total income other than income from State Government		112	35,690
Net cost of services		2,340,463	2,175,145
<i>Income from State Government</i>			
Service appropriation	3.1	2,145,000	2,279,000
Services received free of charge	3.1	77,280	78,183
Total income from State Government		2,222,280	2,357,183
Surplus/(deficit) for the period		(118,183)	182,038
Other comprehensive income		-	-
Total comprehensive income for the period		(118,183)	182,038

The Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

Statement of Financial Position – 30 June 2021

	Note	2021 \$	2020 \$
Assets			
<i>Current Assets</i>			
Cash and cash equivalents	6.1	1,032,159	1,083,260
Receivables	5.1	12,607	19,499
Other current assets	5.3	15,928	33,870
Total Current Assets		1,060,694	1,136,629
<i>Non-Current Assets</i>			
Restricted cash and cash equivalents	6.1	24,972	17,982
Amounts receivable for services	5.2	44,000	36,000
Plant and equipment	4.1(a)	6,844	0
Total Non-Current Assets		75,816	53,982
Total Assets		1,136,510	1,190,611
Liabilities			
<i>Current Liabilities</i>			
Payables	5.4	62,030	45,167
Employee related provisions	2.1(b)	348,044	320,569
Total Current Liabilities		410,074	365,736
<i>Non-Current Liabilities</i>			
Employee related provisions	2.1(b)	44,835	25,091
Total Non-Current Liabilities		44,835	25,091
Total Liabilities		454,909	390,827
Net Assets		681,601	799,784
Equity			
Contributed equity	8.8	37,000	37,000
Accumulated surplus/(deficit)	8.8	644,601	762,784
Total Equity		681,601	799,784

The Statement of Financial Position should be read in conjunction with the accompanying notes.

Statement of Changes in Equity – 30 June 2021

	Note	Contributed Equity \$	Accumulated Surplus/ (deficit) \$	Total Equity \$
Balance at 1 July 2019		37,000	580,746	617,746
Changes in accounting policy or correction of prior period errors		-	-	-
Restated balance at 1 July 2019		37,000	580,746	617,746
Surplus/(deficit)		-	182,038	182,038
Other comprehensive income		-	-	-
Total comprehensive income for the period		37,000	762,784	799,784
Balance at 30 June 2020	8.8	37,000	762,784	799,784
Balance at 1 July 2020		37,000	762,784	799,784
Surplus/(deficit)		-	(118,183)	(118,183)
Other comprehensive income		-	-	-
Total comprehensive income for the period		-	(118,183)	(118,183)
Balance at 30 June 2021	8.8	37,000	644,601	681,602

The Statement of Changes in Equity should be read in conjunction with the accompanying notes.

Statement of Cash Flows – 30 June 2021

	Note	2021 \$	2020 \$
Cash Flows from State Government			
Service appropriation		2,137,000	2,279,000
Net cash provided by State Government		2,137,000	2,279,000
<i>Utilised as follows:</i>			
Cash Flows from Operating Activities			
<i>Payments</i>			
Employee benefits		(1,602,561)	(1,456,410)
Supplies and services		(283,978)	(306,637)
Accommodation		(201,222)	(201,222)
GST payments on purchases		(59,109)	(61,267)
Other payments		(89,077)	(102,476)
<i>Receipts</i>			
GST receipts on sales		485	2,972
GST receipts from taxation authority		62,788	49,846
Other receipts		112	35,690
Net cash provided by/(used in) operating activities		(2,172,562)	(2,039,504)
Cash Flows from Investing Activities			
<i>Payments</i>			
Purchase of non-current physical assets		(8,549)	-
<i>Receipts</i>			
Proceeds from sale of non-current physical assets		-	-
Net cash provided by/(used in) investing activities		(8,549)	-
Net increase/(decrease) in cash and cash equivalents		(44,111)	239,497
Cash and cash equivalents at the beginning of the period		1,101,242	861,745
Cash and cash equivalents at the end of the period	6.1	1,057,131	1,101,242

The Statement of Cash Flows should be read in conjunction with the accompanying notes.

Summary of consolidated account appropriations – 30 June 2021

	2021 Budget Estimate \$	2021 Supplementary Funding \$	2021 Revised Budget \$	2021 Actual \$	Variance \$
<u>Delivery of Services</u>					
Item 13 Net amount appropriated to deliver services	1,867,000	-	1,867,000	1,867,000	-
Amount authorised by other statutes		-			
- <i>Freedom of Information Act 1992</i>	278,000	-	278,000	278,000	-
Total appropriations provided to deliver services	2,145,000	-	2,145,000	2,145,000	-
<u>Capital</u>					
Capital appropriations	-	-	-	-	-
Grand Total	2,145,000	-	2,145,000	2,145,000	-

Adjustments comprise movements in cash balances and other accrual items such as receivables, payables and superannuation.

Note 1. Basis of Preparation

The OIC is a WA Government entity and is controlled by the State of Western Australia, which is the ultimate parent. The OIC is a not-for-profit entity (as profit is not its principal objective).

A description of the nature of its operations and its principal activities have been included in the *Overview* which does not form part of these financial statements.

These annual financial statements were authorised for issue by the Commissioner on 13 September 2021.

Statement of compliance

These general purpose financial statements have been prepared in accordance with:

- 1) The *Financial Management Act 2006 (FMA)*
- 2) The *Treasurer's Instructions (TIs)*
- 3) Australian Accounting Standards (**AAS**) - Reduced Disclosure Requirements
- 4) Where appropriate, those AAS paragraphs applicable for not-for-profit entities have been applied.

The FMA and the TIs take precedence over AAS. Several AAS are modified by the TIs to vary application, disclosure format and wording. Where modification is required and has had a material or significant financial effect upon the reported results, details of that modification and the resulting financial effect are disclosed in the notes to the financial statements.

Basis of preparation

These financial statements are presented in Australian dollars applying the accrual basis of accounting and using the historical cost convention. Certain balances will apply a different measurement basis (such as the fair value basis). Where this is the case the different measurement basis is disclosed in the associated note. All values are rounded to the nearest dollar.

Judgements and estimates

Judgements, estimates and assumptions are required to be made about financial information being presented. The significant judgements and estimates made in the preparation of these financial statements are disclosed in the notes where amounts affected by those judgements and/or estimates are disclosed. Estimates and associated assumptions are based on professional judgements derived from historical experience and various other factors that are believed to be reasonable under the circumstances.

Contributed equity

AASB Interpretation 1038 Contributions by Owners Made to Wholly-Owned Public Sector Entities requires transfers in the nature of equity contributions, other than as a result of a restructure of administrative arrangements, to be designated by the Government (the owner) as contributions by owners (at the time of, or prior to, transfer) before such transfers can be recognised as equity contributions. Capital appropriations have been designated as contributions by owners by TI 955 *Contributions by Owners made to Wholly owned Public Sector Entities* and have been credited directly to Contributed Equity.

Note 2. Use of our funding

Expenses incurred in the delivery of services

This section provides additional information about how the OIC's funding is applied and the accounting policies that are relevant for an understanding of the items recognised in the financial statements. The primary expenses incurred by the OIC in achieving its objectives and the relevant notes are:

	Notes
Employee benefits expense	2.1(a)
Employee related provisions	2.1(b)
Other expenditure	2.2

Note 2.1(a) Employee benefits expense

	2021 \$	2020 \$
Employee benefits	1,513,542	1,372,966
Superannuation – defined contribution plans	143,822	132,851
Total employee benefits expenses	1,657,364	1,505,817
Add: AASB 16 Non-monetary benefits	-	-
Less: Employee Contributions	-	-
Net employee benefits	1,657,364	1,505,817

Employee benefits: Include wages, salaries and social contributions, accrued and paid leave entitlements and paid sick leave, profit-sharing and bonuses; and non-monetary benefits (such as medical care, housing, cars and free or subsidised goods or services) for employees.

Termination benefits: Payable when employment is terminated before normal retirement date, or when an

employee accepts an offer of benefits in exchange for the termination of employment. Termination benefits are recognised when the OIC is demonstrably committed to terminating the employment of current employees according to a detailed formal plan without possibility of withdrawal or providing termination benefits as a result of an offer made to encourage voluntary redundancy. Benefits falling due more than 12 months after the end of the reporting period are discounted to present value.

Superannuation: The amount recognised in profit or loss of the Statement of Comprehensive Income comprises employer contributions paid to the GSS (concurrent contributions), the WSS, the GESBs, or other superannuation funds.

AASB 16 non-monetary benefits: Non-monetary employee benefits, that are employee benefits expenses, predominantly relate to the provision of vehicle and housing benefits are measured at the cost incurred by the agency.

Employee contributions: This line item includes contributions made to the OIC by employees towards employee benefits that have been provided by the OIC. This includes both AASB 16 and non-AASB 16 employee contributions.

Note 2.1(b) Employee related provisions

Provision is made for benefits accruing to employees in respect of wages and salaries, annual leave and long service leave for services rendered up to the reporting date and recorded as an expense during the period the services are delivered.

	2021 \$	2020 \$
Current		
<i>Employee benefits provision</i>		
Annual leave ^(a)	146,508	130,478
Long service leave ^(b)	199,961	188,638
	346,469	319,116
<i>Other provisions</i>		
Employment on-costs ^(c)	1,575	1,453
Total current employee related provisions	348,044	320,569
Non-current		
<i>Employee benefits provision</i>		
Long service leave ^(b)	44,634	24,978
	44,634	24,978
<i>Other provisions</i>		
Employment on-costs ^(c)	201	113
Total non-current employee related provisions	44,835	25,091
Total employee related provisions	392,879	345,660

(a) Annual leave liabilities: Classified as current as there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period.

The provision for annual leave is calculated at the present value of expected payments to be made in relation to services provided by employees up to the reporting date.

(b) Long service leave liabilities: Unconditional long service leave provisions are classified as current liabilities as the OIC does not have an unconditional right to defer settlement of the liability for at least 12 months after the end of the reporting period.

Pre-conditional and conditional long service leave provisions are classified as non-current liabilities because the OIC has an unconditional right to defer the settlement of the liability until the employee has completed the requisite years of service.

The provision for long service leave is calculated at present value as the OIC does not expect to wholly settle the amounts within 12 months. The present value is measured taking into account the present value of expected future payments to be made in relation to services provided by employees up to the reporting date. These payments are estimated using the remuneration rate expected to apply at the time of settlement, and discounted using market yields at the end of the reporting period on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

(c) Employment on-costs: The settlement of annual and long service leave liabilities gives rise to the payment of employment on-costs including workers' compensation insurance. The provision is the present value of expected future payments.

Employment on-costs, including workers' compensation insurance, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of *Other expenditure* (Note 2.2) and are not included as part of the OIC's *employee benefits expense*. The related liability is included in *Employment on-costs provision*.

	2021 \$	2020 \$
<i>Employment on-cost provision</i>		
Carrying amount at start of period	1,566	1,394
Additional/(reversals of) provisions recognised	210	172
Payments/other sacrifices of economic benefits	-	-
Unwinding of the discount	-	-
Carrying amount at the end of the period	1,776	1,566

Key sources of estimation uncertainty – long service leave

Key estimates and assumptions concerning the future are based on historical experience and various other factors that have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next financial year.

Several estimates and assumptions are used in calculating the OIC's long service leave provision. These include:

- expected future salary rates;
- discount rates;
- employee retention rates; and
- expected future payments.

Changes in these estimations and assumptions may impact on the carrying amount of the long service leave provision. Any gain or loss following revaluation of the present value of long service leave liabilities is recognised as an employee benefits expense.

Note 2.2 Other expenditure

	2021 \$	2020 \$
<i>Supplies and services</i>		
Goods and supplies	41,212	49,187
Services and contracts	349,277	351,071
Total supplies and services expenses	390,489	400,258
<i>Accommodation expenses</i>		
Rental	201,222	201,222
Total accommodation expense	201,222	201,222
<i>Other</i>		
Communications	2,264	2,536
Printing and binding	6,511	6,517
Electricity	4,798	5,213
Insurance	12,012	12,786
Travel and accommodation	3,343	12,079
Software licenses	-	9,784
Professional development	15,583	8,075
Audit fees	44,625	27,375
Employment on-costs	250	1,024
Research and advertising	-	16,145
Other	408	941
Total other expenses	89,795	102,475
Total other expenditure	681,506	703,955

Supplies and services expenses are recognised as an expense in the reporting period in which they are incurred. The carrying amounts of any materials held for distribution are expensed when the materials are distributed.

Rental expenses include:

- (i) short-term leases with a lease term of 12 months or less;
- (ii) low-value leases with an underlying value of \$5,000 or less; and
- (iii) variable lease payments recognised in the period in which the event or condition that triggers those payments occurs.

Repairs, maintenance and cleaning costs are recognised as expenses as incurred.

Other operating expenses generally represent the day-to-day running costs incurred in normal operations.

Communications expense include telephone, postal and internet costs incurred and are recognised as expenses as incurred.

Electricity costs are recognised as expenses as incurred.

Insurance includes general insurance costs (excluding workers compensation costs) and is recognised as an expense as incurred.

Travel and accommodation costs for staff travel on behalf of the OIC is recognised as an expense as incurred.

Software licences are costs associated with the use of software applications by the OIC and are recognised as expenses as incurred.

Professional development are costs incurred for the training and development of staff and are recognised as expenses as incurred.

Audit fees includes both external and internal audit fees and are recognised as an expense in the period in which it is incurred.

Expenditure on research is recognised as an expense in the period in which it is incurred.

Employee on-costs includes workers' compensation insurance and other employment on-costs. The on-costs liability associated with the recognition of annual and long service leave liabilities is included at Note 2.1(b) *Employee related provisions*. Superannuation contributions accrued as part of the provision for leave are employee benefits and are not included in employment on-costs.

Note 3. Our Funding Sources

How we obtain our funding

This section provides additional information about how the OIC obtains its funding and the relevant accounting policy notes that govern the recognition and measurement of this funding. The primary income received by the OIC and the relevant notes are:

	Notes
Income from State Government	3.1
Other revenue	3.2

Note 3.1 Income from State Government

	2021 \$	2020 \$
<i>Appropriation received during the period:</i>		
Service appropriations	1,867,000	2,010,000
Service appropriations - Other Statutes	278,000	269,000
Total appropriation received during period	2,145,000	2,279,000
<i>Resources received free of charge from other State government entities during the period:</i>		
- Department of Finance - Building Management and Works	77,280	78,183
Total resources received	77,280	78,183
	2,222,280	2,357,183

Service appropriations are recognised as income at the fair value of consideration received in the period in which the OIC gains control of the appropriated funds. The OIC gains control of appropriated funds at the time those funds are deposited in the bank account or credited to holding account held at Treasury.

Resources received from other public sector entities or for nominal cost are recognised as income (and assets or expenses) equivalent to the fair value of the assets, or the fair value of those services that can be reliably determined and which would have been purchased if not donated.

Note 3.2 Other revenue

	2021 \$	2020 \$
Conference receipts	-	26,565
Leave liability recoups	-	3,691
Other recoups	112	5,434
Total other revenue	112	35,690

Other revenue is recognised at fair value when the OIC obtains control over the assets comprising the contributions, usually when cash is received.

Note 4. Key Assets**Assets the OIC utilises for economic benefit or service potential**

This section includes information regarding the key assets the OIC utilises to gain economic benefits or provide service potential. The section sets out both the key accounting policies and financial information about the performance of these assets:

	Notes	2021 \$	2020 \$
Plant and equipment	4.1	6,844	-
Total key assets		6,844	-

Note 4.1(a) Plant and equipment

	2021 \$	2020 \$
<i>Office equipment and computers</i>		
At cost	40,949	46,314
Accumulated depreciation	(34,105)	(46,314)
	6,844	-

Reconciliations of the carrying amounts of office equipment and computers at the beginning and end of the reporting period are set out below:

	Office equipment and computers \$
2021	
Carrying amount at start of period	-
Depreciation	(1,705)
Additions	8,549
Carrying amount at 30 June 2021	6,844
2020	
Carrying amount at start of period	1,063
Depreciation	(1,063)
Additions	-
Carrying amount at 30 June 2020	-

Initial recognition

Items of plant and equipment costing \$5,000 or more are measured initially at cost. Where an asset is acquired for no cost or significantly less than fair value, the cost is valued at its fair value at the date of acquisition. Items of plant and equipment costing less than \$5,000 are immediately expensed

direct to the Statement of Comprehensive Income (other than where they form part of a group of similar items which are significant in total).

Subsequent measurement

Subsequent to initial recognition as an asset, the historical cost model is used for the measurement of plant and equipment. Items of plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

The OIC does not hold any land, buildings or infrastructure assets.

Finite useful lives

All plant and equipment having a limited useful life are systematically depreciated over their estimated useful lives in a manner that reflects the consumption of their future economic benefits. The exceptions to this rule include assets held for sale, land and investment properties.

Depreciation is generally calculated on a straight line basis, at rates that allocate the asset's value, less any estimated residual value, over its estimated useful life. Typical estimated useful lives for the different asset classes for current and prior years are included in the table below:

Asset	Useful life: years
Office equipment	5 years
Computers	3 years

The estimated useful lives, residual values and depreciation method are reviewed at the end of each annual reporting period, and adjustments should be made where appropriate.

Note 4.1.1 Depreciation and impairment charge for the period

	2021 \$	2020 \$
Depreciation		
Plant and equipment	1,705	1,063
Total depreciation for the period	1,705	1,063

As at 30 June 2021 there were no indications of impairment to plant and equipment.

Impairment

Non-financial assets, including items of plant and equipment, are tested for impairment whenever there is an indication that the asset may be impaired. Where there is an indication of impairment, the recoverable amount is estimated. Where the recoverable amount is less than the carrying amount, the asset is considered impaired and is written down to the recoverable amount and an impairment loss is recognised.

Where an asset measured at cost is written down to its recoverable amount, an impairment loss is recognised through profit or loss.

Where a previously revalued asset is written down to its recoverable amount, the loss is recognised as a revaluation decrement through other comprehensive income.

As the OIC is a not-for-profit office, the recoverable amount of regularly revalued specialised assets is anticipated to be materially the same as fair value.

If there is an indication that there has been a reversal in impairment, the carrying amount shall be increased to its

recoverable amount. However this reversal should not increase the asset's carrying amount above what would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised in prior years.

The risk of impairment is generally limited to circumstances where an asset's depreciation is materially understated, where the replacement cost is falling or where there is a significant change in useful life. Each relevant class of assets is reviewed annually to verify that the accumulated depreciation/amortisation reflects the level of consumption or expiration of the asset's future economic benefits and to evaluate any impairment risk from declining replacement costs.

Note 5. Other assets and liabilities

This section sets out those assets and liabilities that arose from the OIC's controlled operations and includes other assets utilised for economic benefits and liabilities incurred during normal operations:

	Notes
Receivables	5.1
Amounts receivable for services	5.2
Other assets	5.3
Payables	5.4

Note 5.1 Receivables

	2021 \$	2020 \$
Current		
Trade receivables	647	109
GST receivable	11,960	19,390
Total receivables	12,607	19,499

Trade receivables are recognised at original invoice amount less any allowances for uncollectible amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Note 5.2 Amounts receivable for services (Holding Account)

	2021 \$	2020 \$
Non-current	44,000	36,000
Balance at end of the period	44,000	36,000

Amounts receivable for services represent the non-cash component of service appropriations. It is restricted in that it can only be used for asset replacement or payment of leave liability.

Amounts receivable for services are considered not impaired (i.e. there is no expected credit loss of the Holding Account).

Note 5.3. Other assets

	2021 \$	2020 \$
<i>Current</i>		
Prepayments	15,928	33,870
Balance at the end of the period	15,928	33,870

Other non-financial assets include prepayments which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

Note 5.4 Payables

	2021 \$	2020 \$
<i>Current</i>		
Trade payables	37,763	28,386
GST payable	50	148
Accrued salaries	24,217	16,633
Balance at end of period	62,030	45,167

Payables are recognised at the amounts payable when the OIC becomes obliged to make future payments as a result of a purchase of assets or services. The carrying amount is equivalent to fair value, as settlement is generally within 30 days.

Accrued salaries represent the amount due to staff but unpaid at the end of the reporting period. Accrued salaries are settled within a fortnight after the reporting period. The OIC considers the carrying amount of accrued salaries to be equivalent to its fair value.

The accrued salaries suspense account (See Note 6.1 *Cash and cash equivalents*) consists of amounts paid annually, from office appropriations for salaries expense into a Treasury suspense account to meet the additional cash outflow for employee salary payments in reporting periods with 27 pay days instead of the normal 26. No interest is received on this account.

Note 6. Financing

This section sets out the material balances and disclosures associated with the financing and cash flows of the OIC.

	Notes
Cash and cash equivalents	6.1

Note 6.1 Cash and cash equivalents

	2021 \$	2020 \$
Cash and cash equivalents	1,032,159	1,083,260
<i>Restricted cash and cash equivalents</i>		
– Accrued salaries suspense account ^(a)	24,972	17,982
Balance at end of period	1,057,131	1,101,242

- (a) Funds held in the suspense account for the purpose of meeting the 27th pay in a reporting period that occurs every 11th year. This account is classified as non-current for 10 out of 11 years.

For the purpose of the statement of cash flows, cash and cash equivalent (and restricted cash and cash equivalent) assets comprise cash on hand and short-term deposits with original maturities of three months or less that are readily convertible to a known amount of cash and which are subject to insignificant risk of changes in value.

The accrued salaries suspense account (see Note 6.1 *Cash and cash equivalents*) consists of amounts paid annually, from OIC appropriations for salaries expense into a Treasury suspense account to meet the additional cash outflow for employee salary payments in reporting periods with 27 pay

days instead of the normal 26. No interest is received on this account.

Note 7. Financial instruments and contingencies

This note sets out the key risk management policies and measurement techniques of the OIC.

	Notes
Financial instruments	7.1
Contingent assets and liabilities	7.2

Note 7.1 Financial Instruments

	2021 \$	2020 \$
<i>Financial assets</i>		
Cash and cash equivalents	1,057,131	1,101,242
Financial assets at amortised cost ^(a)	44,647	36,109
Total financial assets	1,101,778	1,137,351
<i>Financial liabilities</i>		
Financial liabilities at amortised cost ^(b)	62,030	45,167
Total financial liability	62,030	45,167

- (a) The amount of receivables excludes GST recoverable from the ATO (statutory receivable).
- (b) The amount of financial liabilities at amortised cost excludes GST payable to the ATO (statutory payable).

Note 7.2 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the statement of financial position but are disclosed and, if quantifiable, are measured at nominal value.

The OIC had no contingent liabilities and contingent assets as of 30 June 2021.

Note 8. Other disclosures

This section includes additional material disclosures required by accounting standards or other pronouncements, for the understanding of this financial report.

	Notes
Events occurring after the end of the reporting period	8.1
Changes in accounting policies	8.2
Key management personnel	8.3
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Related bodies	8.5
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Remuneration of auditors	8.7
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Note 8.1 Events occurring after the end of the reporting period

There were no events occurring after the reporting date that impact on the financial statements.

Note 8.2 Changes in accounting policies

The OIC has not made any changes to its accounting policies that would impact on the reported results of the OIC.

The OIC assessed the impact of AASB 1059 *Service Concession Arrangements* and determined that the OIC does not hold any such arrangements.

Note 8.3 Key management personnel

The OIC has determined key management personnel to include senior officers of the OIC. The OIC does not incur expenditures to compensate Ministers and those disclosures may be found in the Annual Report on State Finances.

The total fees, salaries, superannuation, non-monetary benefits and other benefits for senior officers of the OIC for the reporting period are presented within the following bands:

Compensation Band (\$)	2021	2020
\$290,001 - \$300,000	1	1
	2021	2020
	\$	\$
Total compensation of senior officers	293,073	299,530

Total compensation includes the superannuation expense incurred by the OIC in respect of senior officers.

Note 8.4 Related Party Transactions

The OIC is a wholly-owned public sector entity that is controlled by of the State of Western Australia.

Related parties of the OIC include:

- all senior officers and their close family members, and their controlled or jointly controlled entities;
- other agencies and statutory authorities, including related bodies, that are included in the whole of government consolidated financial statements (i.e. wholly owned public sector entities);
- associates and joint ventures of a wholly-owned public sector entity; and
- the Government Employees Superannuation Board.

Material transactions with related parties

Outside of normal citizen type transactions with the OIC, there were no other related party transactions that involved key management personnel and/or their close family members and/or their controlled (or jointly controlled) entities.

Note 8.5 Related bodies

The OIC has no related bodies.

Note 8.6 Affiliated bodies

The OIC has no affiliated bodies.

Note 8.7 Remuneration of Auditor

Remuneration paid or payable to the Auditor General in respect of the audit for the current reporting period is as follows:

	2021 \$	2020 \$
Auditing of accounts, financial statements and performance indicators	27,900	27,375
	27,900	27,375

Note 8.8 Equity

	2021 \$	2020 \$
<i>Contributed equity</i>		
Balance at start of the period	37,000	37,000
Balance at end of the period	37,000	37,000
<i>Accumulated surplus/(deficit)</i>		
Balance at start of period	762,784	580,746
Result for period	(118,183)	182,038
Balance at end of period	644,601	762,784
Total equity	681,601	799,784

Note 8.9 Supplementary financial information**(a) Write-offs**

There were no write-offs during the previous or current financial year.

(b) Losses through theft, defaults and other causes

There were no thefts, defaults or losses during the previous or current financial year.

(c) Gifts of public property

There were no gifts of public property during the previous or current financial year.

Note 8.10 Explanatory statement

All variances between annual estimates (original budget) and actual results for 2021, and between the actual results for 2021 and 2020 are shown on the following page. Narratives are provided for key major variances which are greater than 10% and 1% of Total Cost of Services for the Statements of Comprehensive Income and Statement of Cash Flows (\$23,406), and are greater than 10% and 1% of Total Assets for the Statement of Financial Position (\$11,365).

Note 8.10.1 Statement of comprehensive income variances

	Variance Note	Estimate 2021 (\$000)	Actual 2021 (\$000)	Actual 2020 (\$000)	Estimate and actual variance (\$000)	2020 and 2021 actual variance (\$000)
Statement of Comprehensive Income						
<i>Expenses</i>						
Employee benefits expense	<u>1</u>	1,616	1,657	1,506	41	152
Supplies and services		361	390	400	29	(10)
Accommodation expenses		208	201	201	(7)	-
Depreciation expense		8	2	1	(6)	1
Other expenses	<u>2</u>	165	90	102	(75)	(12)
Total cost of services		2,358	2,341	2,210	(17)	130
<i>Income</i>						
<u>Revenue</u>						
Other revenue	<u>3</u>	4	-	36	(4)	(36)
Total Revenue		4	-	36	(4)	(36)
Total income other than income from State Government		4	-	36	(4)	(36)
Net cost of services		2,354	2,341	2,174	(21)	166
<u>Income from State Government</u>						
Service appropriation		2,145	2,145	2,279	-	(134)
Resources received free of charge	<u>4</u>	110	77	78	(33)	(1)
Total income from State Government		2,255	2,222	2,357	(33)	(135)
Surplus/(deficit) for the period		(99)	(118)	183	(54)	31
Total comprehensive income for the period		(99)	(118)	183	(54)	31

Note 8.10.2 Statement of financial position variances

	Variance Note	Estimate 2021 (\$000)	Actual 2021 (\$000)	Actual 2020 (\$000)	Estimate and actual variance (\$000)	2020 and 2021 actual variance (\$000)
<i>Assets</i>						
<u>Current Assets</u>						
Cash and cash equivalents		955	1,032	1,083	77	(51)
Holding account receivables		8	-	-	(8)	-
Receivables		19	13	19	(6)	(7)
Other Current Assets	<u>5, 6</u>	34	16	34	(18)	(18)
Total Current Assets		1,016	1,061	1,137	45	(76)
<u>Non-Current Assets</u>						
Restricted cash and cash equivalents		18	25	18	7	7
Amounts receivable for services		36	44	36	8	8
Plant and Equipment	<u>7</u>	23	7	-	(16)	7
Total non-current assets		77	76	54	(1)	22
Total assets		1,093	1,137	1,191	44	(54)
<i>Liabilities</i>						
<u>Current Liabilities</u>						
Payables	<u>8, 9</u>	-	62	45	62	17
Provisions		336	348	321	12	27
Other	<u>10</u>	15	-	-	(15)	-
Total Current Liabilities		351	410	366	59	44
<u>Non-Current Liabilities</u>						
Provisions	<u>11, 12</u>	25	45	25	20	20
Total Non-Current Liabilities		25	45	25	20	20
Total liabilities		376	455	391	79	64
Net assets/(liabilities)		717	682	800	(35)	(118)
<u>Equity</u>						
Contributed equity		37	37	37	-	-
Accumulated surplus/(deficiency)		680	645	763	35	(118)
Total equity		717	682	800	35	(118)

Note 8.10.3 Statement of cash flow variances

	Variance Note	Estimate 2021 (\$000)	Actual 2021 (\$000)	Actual 2020 (\$000)	Estimate and actual variance (\$000)	2020 and 2021 actual variance (\$000)
Cash flows from State Government						
Service appropriation		2,137	2,137	2,279	-	(142)
Capital appropriation		-	-	-	-	-
Holding account drawdowns		-	-	-	-	-
Net cash provided by State Government		2,137	2,137	2,279	-	(142)
<i>Utilised as follows:</i>						
Cash flows from operating activities						
<u>Payments</u>						
Employee benefits	13	(1,616)	(1,603)	(1,456)	(13)	(146)
Services and supplies	14	(325)	(284)	(307)	(41)	23
Accommodation		(208)	(201)	(201)	(7)	-
Other payments	15	(30)	(59)	(61)	29	2
GST payments on purchases		(107)	(89)	(102)	(18)	13
<u>Receipts</u>						
GST receipts on sales		-	-	3	-	(3)
GST receipts from taxation authority		48	63	50	15	13
Other revenue	16	4	-	36	4	(36)
Net cash used in operating activities		(2,234)	(2,173)	(2,040)	(31)	(134)
<i>Cash flows from investing activities</i>						
<u>Payments</u>						
Purchase of non-current assets		(31)	(9)	-	(22)	(9)
<u>Receipts</u>						
Proceeds from sale of non-current physical assets		-	-	-	-	-
Net cash provided by/(used in) investing activities		(31)	(9)	-	(22)	(9)
<i>Cash flows from financing activities</i>						
Net increase/(decrease) in cash and cash equivalents		(128)	(44)	239	(84)	(284)
Cash and cash equivalents at the beginning of the period		1,101	1,101	862	-	239
Cash and cash equivalents at the end of the period		973	1,057	1,101	(84)	(44)

Major Estimate and Actual (2021) Variance Narratives for the Income Statement

- 2) The 'other expenses' actual was \$75,000 (46%) less than estimated. The estimate is a standard yearly estimate which is no longer reflective of current expenditure and will be revised.
- 4) The 'resources received free of charge' actual was \$33,000 (30%) less than estimated. The estimate is a nominal amount that is calculated annually by the Department of Finance.

Major Actual (2021) and Comparative (2020) Variance Narratives for the Income Statement

- 1) The 'employee benefits expense' increased by \$152,000 (10%) due to the addition of two new employees.
- 3) 'Other revenue' decreased by \$36,000 (100%) as the FOI in WA Conference was held in 2019/20, which is not an annual event.

Major Estimate and Actual (2021) Variance Narratives for the Statement of Financial Position

- 5) The 'other current assets' actual was \$18,000 (53%) less than the estimate. This refers to prepayments made in the current year that relate to services provided in the following year. The expected amount of prepaid expenditure was not realised in 2021.
- 7) The 'plant and equipment' actual was \$16,000 (70%) less than estimated, due to an underspend of capital.
- 8) The 'payables' actual was \$62,000 (100%) more than estimated, as it is not a budgeted item.
- 10) The 'other' current liabilities actual was \$15,000 (100%) less than estimated. This refers to the payroll accrual at the end of each financial year and is included in 'Employee Provisions' in the balance sheet (\$24,217).
- 11) The 'provisions' actual was \$20,000 (79%) more than estimated due to an increase in long service leave liability.

Major Actual (2021) and Comparative (2020) Variance Narratives for the Statement of Financial position

- 6) The 'other current assets' actual was \$18,000 (53%) less than the previous year. This refers to prepayments made in the current year that relate to services provided in the following year. The 2021 estimate is based on the prepayments reported in 2020.
- 9) The 'payables' actual was \$17,000 (37%) more than the previous year due to an increase in unpaid accounts as of 30 June 2021.
- 12) The non-current 'provisions' was \$20,000 (79%) more than the previous period due to an increase in employee long service leave liability. Estimates are based on the previous year actual.

Major Estimate and Actual (2021) Variance Narratives for the Cashflow Statement

- 14) The 'supplies and services' actual was \$41,000 (13%) less than estimated. The lower than estimated expenditure on prepayments in the current year (see Note 5) has the flow-on effect of reducing cash expenditure for that year.
- 15) The 'GST payments on purchases' actual was \$29,000 (97%) more than estimated. The estimate is a standard yearly estimate which is no longer reflective of current expenditure and will be revised.

Major Actual (2021) and Comparative (2020) Variance Narratives for the Cashflow Statement

- 13) The 'employee benefits' actual was \$146,000 (10%) more than the previous period due to the addition of two new employees.
- 16) The 'other revenue' actual was \$36,000 (100%) more than the previous period as the FOI in WA Conference was held in 2019/20, which is not an annual event.

OIC Statistics

Section 111 of the FOI Act requires the Commissioner to provide a report to the Speaker of the Legislative Assembly and the President of the Legislative Council on the operation of the legislation during the reporting period. As well as providing data on the operation of the FOI Act across the sector (see following section on 'Agency Statistics'), the Commissioner is required to provide the following information:

- the number of external review applications made to the Commissioner and the results of those applications;
- the number of other applications made to the Commissioner and the results of those applications; and
- the number of appeals to the Supreme Court and results of those appeals.

The following is the statistical data reflecting external review applications and other applications made to the OIC during the year, and their outcomes. Details of Supreme Court appeals are outlined under Significant Issues and Trends.

For reference, 'other' applications refer to requests made to the Commissioner other than external review requests, including: requests to lodge external review applications when no internal review has been completed, or the time limit within which to lodge an external review has expired; requests from agencies to waive the requirement to consult with third parties; and requests for an extension or reduction of time within which agencies are required to deal with an application.

Other statistical data referred to throughout this report in respect of the OIC's operations are also included in this section.

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Table 1: Applications received and dealt with by the Commissioner

APPLICATIONS RECEIVED AND DEALT WITH BY THE COMMISSIONER	RECEIVED	DEALT WITH
External review applications – valid	161	180
External review applications – informal / invalid	37	37
Section 66(6) applications – no internal review	7	5
Section 66(4) applications – out of time	2	2
Section 13(5) applications – extension of time	2	2
Section 13(4) applications – reduction of time	2	2
Section 35(1) – waiver of requirement to consult	0	0
Section 48(3) – request for destruction certificate	1	1
TOTAL	212	229

Table 2: Breakdown of valid external review applications made to the Commissioner

APPLICANT GROUP	#	AGENCY GROUP	#
Individual citizen	133	Department (ex. Police & Health)	41
Company	14	Local Government	46
Member of Parliament	2	Police	22
Not-for-profit	1	Board, Committee, Commission, Authority, Corporation	23
Media	6	Minister	10
Prisoner	3	Health related	12
Government agency	2	University	7
TOTAL	161	TOTAL	161

Table 3: External review applications received by the Commissioner (valid and invalid)

AGENCY	VALID	INVALID	TOTAL
State Agencies			
Acacia Prison	0	1	1
Communities, Department of	7	3	10
Curtin University	4	0	4
DevelopmentWA	1	0	1
Edith Cowan University	1	2	3
Education, Department of	3	0	3
EMHS - Corporate Office	4	0	4
EMHS - Royal Perth Hospital	2	0	2
Health Support Services	3	0	3
Health, Department of	2	0	2
Institute of Sport, Western Australian	1	0	1
Jobs, Tourism, Science and Innovation, Department of	7	0	7
Justice, Department of	3	3	6
Legal Aid Western Australia	1	0	1
Legal Practice Board of WA, The	0	1	1
Legal Profession Complaints Committee	0	1	1
Local Government, Sport and Cultural Industries, Department of	4	0	4
Main Roads Western Australia	2	0	2

AGENCY	VALID	INVALID	TOTAL
Metropolitan Cemeteries Board	1	0	1
Mines, Industry Regulation and Safety, Department of	7	1	8
NMHS - Corporate Office	1	0	1
Planning, Lands and Heritage, Department of	2	0	2
Police Force, Western Australia	22	10	32
Premier and Cabinet, Department of the	4	1	5
Public Advocate, Office of the	2	1	3
Public Transport Authority	2	0	2
Salaries and Allowances Tribunal	1	0	1
State Administrative Tribunal	1	1	2
Trotting Association, Western Australian	1	0	1
University of Western Australia, The	2	0	2
WACHS - Midwest	0	1	1
WACHS - Pilbara	0	1	1
Water and Environmental Regulation, Department of	2	0	2
Water Corporation	11	0	11
Western Power	1	0	1
<i>Sub-total: State Agencies</i>	<i>105</i>	<i>27</i>	<i>132</i>
Local Agencies			

AGENCY	VALID	INVALID	TOTAL
Albany, City of	2	0	2
Augusta-Margaret River, Shire of	3	0	3
Bayswater, City of	1	0	1
Belmont, City of	3	0	3
Broome, Shire of	1	0	1
Bunbury, City of	1	0	1
Busselton, City of	3	0	3
Cambridge, Town of	2	1	3
Canning, City of	3	2	5
Cottesloe, Town of	1	0	1
Donnybrook-Balingup, Shire of	0	1	1
Esperance, Shire of	1	0	1
Gnowangerup, Shire of	1	0	1
Joondalup, City of	2	1	3
Lake Grace, Shire of	1	0	1
Melville, City of	12	0	12
Nedlands, City of	1	0	1
Ravensthorpe, Shire of	2	0	2
South Perth, City of	1	0	1
Stirling, City of	2	0	2

AGENCY	VALID	INVALID	TOTAL
Toodyay, Shire of	1	0	1
Victoria Park, Town of	1	1	2
Wyndham-East Kimberley, Shire of	1	0	1
<i>Sub-total: Local Agencies</i>	<i>46</i>	<i>6</i>	<i>52</i>
Ministers			
Attorney General	2	0	2
Education and Training, Minister for	1	0	1
Emergency Services, Minister for	1	0	1
Health, Minister for	1	0	1
Local Government, Minister for	1	0	1
Regional Development, Minister for	2	0	2
Transport, Minister for	1	0	1
Treasurer	1	0	1
<i>Sub-total: Ministers</i>	<i>10</i>	<i>0</i>	<i>10</i>
Agency Unknown	0	4	4
<i>Sub-total: Unknown</i>	<i>0</i>	<i>4</i>	<i>4</i>
TOTAL	161	37	198

Table 4: Other applications received

AGENCY	OUT OF TIME s.66(4)	NO INTERNAL REVIEW s.66(6)	REDUCTION OF TIME s.13(4)	EXTENSION OF TIME s.13(5)	REQUEST FOR DESTRUCTION CERTIFICATE s.48(3)	TOTAL
Communities, Department of	0	0	1	0	0	1
Institute of Sport, Western Australian	0	1	0	0	0	1
Jobs, Tourism, Science and Innovation, Department of	0	1	0	0	0	1
Karratha, City of	0	1	0	0	0	1
Legal Profession Complaints Committee	0	1	0	0	0	1
Main Roads Western Australia	0	1	0	0	0	1
Melville, City of	0	0	1	0	1	2
Public Transport Authority	1	0	0	0	0	1
State Administrative Tribunal	1	0	0	0	0	1
Training and Workforce Development, Department of	0	0	0	1	0	1
WACHS – South West	0	1	0	0	0	1
Wyndham-East Kimberley, Shire of	0	1	0	0	0	1
Yalgoo, Shire of	0	0	0	1	0	1
TOTAL	2	7	2	2	1	14

No applications under section 35(1) (waiver of requirement to consult) were received.

Table 5: Outcome of external reviews finalised (by agency and category)

AGENCY	CONCILIATED	PUBLISHED DECISION UNDER SECTION 76			DECISION UNDER s.67(1)(a)	DECISION UNDER s.67(1)(b)	TOTAL MATTERS FINALISED
		AGENCY DECISION:					
		CONFIRMED	VARIED	SET ASIDE AND SUBSTITUTED			
State Agencies							
Acacia Prison	3	0	0	0	0	0	3
Communities, Department of	5	0	0	0	1	3	9
Curtin University	0	0	0	0	0	1	1
Edith Cowan University	0	0	0	0	1	1	2
Education, Department of	2	1	0	0	1	2	6
Education and Training, Department of	1	0	0	0	0	0	1
EMHS – Corporate Office	1	0	0	0	1	0	2
EMHS – Royal Perth Hospital	1	0	0	0	0	1	2
Health, Department of	3	0	0	0	0	0	3
Insurance Commission of Western Australia	1	0	0	0	0	0	1
Jobs, Tourism, Science and Innovation, Department of	1	1	0	0	0	0	2
Justice, Department of	4	0	0	0	0	2	6
Legal Aid Western Australia	1	0	0	0	0	0	1
Local Government, Sport and Cultural Industries, Department of	2	0	0	0	0	0	2
Main Roads Western Australia	2	1	0	0	0	0	3
Metropolitan Cemeteries Board	1	0	0	0	0	0	1
Mines, Industry Regulation and Safety, Department of	7	1	2	0	0	2	12

AGENCY	CONCILIATED	PUBLISHED DECISION UNDER SECTION 76			DECISION UNDER s.67(1)(a)	DECISION UNDER s.67(1)(b)	TOTAL MATTERS FINALISED
		AGENCY DECISION:					
		CONFIRMED	VARIED	SET ASIDE AND SUBSTITUTED			
NMHS - Corporate Office	1	0	0	0	0	0	1
NMHS - Osborne Park Hospital	1	0	0	0	0	0	1
PathWest Laboratory Medicine WA	1	0	0	0	0	0	1
Planning, Lands and Heritage, Department of	0	0	0	0	0	2	2
Police Force, Western Australia	23	1	0	0	2	4	30
Premier and Cabinet, Department of the	3	0	0	0	0	0	3
Public Advocate, Office of the	1	0	0	0	0	1	2
Public Transport Authority	4	0	0	0	0	0	4
Public Trustee Western Australia	0	0	0	0	1	1	2
School Curriculum and Standards Authority	0	1	0	0	0	0	1
Solicitor General	0	0	0	0	0	1	1
Salaries and Allowances Tribunal	1	0	0	0	0	0	1
Transport, Department of	1	0	0	0	0	0	1
Treasury, Department of	1	0	0	0	0	0	1
University of Western Australia, The	0	0	0	0	0	1	1
WACHS – Goldfields	1	0	0	0	0	0	1
Water and Environmental Regulation, Department of	2	0	0	0	0	1	3

AGENCY	CONCILIATED	PUBLISHED DECISION UNDER SECTION 76			DECISION UNDER s.67(1)(a)	DECISION UNDER s.67(1)(b)	TOTAL MATTERS FINALISED
		AGENCY DECISION:					
		CONFIRMED	VARIED	SET ASIDE AND SUBSTITUTED			
Water Corporation	1	0	0	0	0	8	9
Western Power	0	0	0	0	0	1	1
<i>Sub-total: State Agencies</i>	<i>76</i>	<i>6</i>	<i>2</i>	<i>0</i>	<i>7</i>	<i>32</i>	<i>123</i>
<i>Percentage of agency group/percentage of total</i>	<i>61.8%</i>	<i>4.9%</i>	<i>1.6%</i>	<i>0.0%</i>	<i>5.7%</i>	<i>26.0%</i>	<i>68.3%</i>
Local Agencies							
Albany, City of	2	0	0	0	0	0	2
Augusta-Margaret River, Shire of	1	0	0	0	0	1	2
Belmont, City of	1	1	1	0	0	0	3
Bunbury, City of	0	0	0	0	0	2	2
Busselton, City of	3	0	0	0	1	0	4
Broome, Shire of	1	0	0	0	0	0	1
Cambridge, Town of	5	0	0	0	0	0	5
Canning, City of	2	0	0	0	0	1	3
Dardanup, Shire of	1	0	0	0	0	0	1
Joondalup, City of	1	0	0	0	0	0	1
Lake Grace, Shire of	1	0	0	0	0	0	1
Melville, City of	2	0	0	0	1	4	7
Mundaring, Shire of	1	0	0	0	0	0	1
Port Hedland, Town of	0	0	0	0	0	1	1
Ravensthorpe, Town of	1	0	0	0	0	0	1
South Perth, City of	0	0	0	0	0	2	2

AGENCY	CONCILIATED	PUBLISHED DECISION UNDER SECTION 76			DECISION UNDER s.67(1)(a)	DECISION UNDER s.67(1)(b)	TOTAL MATTERS FINALISED
		AGENCY DECISION:					
		CONFIRMED	VARIED	SET ASIDE AND SUBSTITUTED			
Stirling, City of	3	0	0	0	0	0	3
Subiaco, City of	2	0	0	2	0	0	4
Swan, City of	1	0	0	0	0	0	1
Victoria Park, Town of	1	0	0	0	0	1	2
Wanneroo, City of	1	0	0	0	0	0	1
<i>Sub-total: Local Agencies</i>	<i>30</i>	<i>1</i>	<i>1</i>	<i>2</i>	<i>2</i>	<i>12</i>	<i>48</i>
<i>Percentage of agency group/percentage of total</i>	<i>62.5%</i>	<i>2.1%</i>	<i>2.1%</i>	<i>4.2%</i>	<i>4.2%</i>	<i>25.0%</i>	<i>26.7%</i>
Ministers							
Emergency Services, Minister for	1	0	0	0	0	0	1
Health, Minister for	2	0	0	0	0	0	2
Local Government, Minister for	1	0	0	0	0	0	1
Mines and Petroleum, Minister for	1	0	0	0	0	0	1
Regional Development, Minister for	2	0	0	0	0	0	2
Transport, Minister for	0	0	0	0	0	1	1
Treasurer	1	0	0	0	0	0	1
<i>Sub-total: Ministers</i>	<i>8</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>	<i>9</i>
<i>Percentage of agency group/percentage of total</i>	<i>88.9%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>11.1%</i>	<i>5.0%</i>
TOTAL	114	7	3	2	9	45	180
TOTAL PERCENTAGE	63.3%	3.9%	1.7%	1.1%	5.0%	25.0%	100%

Table 6: Invalid applications for external review finalised

AGENCY	#
State Agencies	
Acacia Prison	1
Communities, Department of	3
Edith Cowan University	2
Justice, Department of	3
Legal Practice Board of Western Australia, The	1
Legal Profession Complaints Committee	1
Mines, Industry Regulation and Safety, Department of	1
Police Force, Western Australia	10
Premier and Cabinet, Department of the	1
Public Advocate, Office of the	1
State Administrative Tribunal	1
WACHS – Midwest	1
WACHS – Pilbara	1
<i>Sub-total: State Agencies</i>	<i>27</i>
Local Agencies	
Cambridge, Town of	1
Canning, City of	2
Donnybrook-Balingup, Shire of	1
Joondalup, City of	1
Victoria Park, Town of	1
<i>Sub-total: Local Agencies</i>	<i>6</i>
Agency Unknown	4
<i>Sub-total: Agency Unknown</i>	<i>4</i>
TOTAL	37

Table 7: Published decisions

DECISION NO.	COMPLAINANT	AGENCY	DECISION DATE	SOURCE	
D0092020	Brookes	Western Australia Police	02/07/2020	AustLII	PDF
D0102020	Deturt	Department of Mines, Industry Regulation and Safety	18/09/2020	AustLII	PDF
D0112020	'Y'	Department of Education	23/11/2020	AustLII	PDF
D0122020	'Z'	City of Subiaco	24/11/2020	AustLII	PDF
D0132020	'A'	City of Subiaco	24/11/2020	AustLII	PDF
D0142020	Mineralogy Pty Ltd	Department of Mines, Industry Regulation and Safety	21/12/2020	AustLII	PDF
D0012021	Onslow Salt Pty Ltd	Department of Jobs, Tourism, Science and Innovation	12/02/2021	AustLII	PDF
D0022021	Onslow Salt Pty Ltd	Department of Mines, Industry Regulation and Safety	18/02/2021	AustLII	PDF
D0032021	Toohy	School Curriculum and Standards Authority	30/04/2021	AustLII	PDF
D0042021	Flatman	Main Roads Western Australia	23/06/2021	AustLII	PDF
D0052021	Hollands	City of Belmont	28/06/2021	AustLII	PDF
D0062021	Hollands	City of Belmont	28/06/2021	AustLII	PDF

Table 8: Outcome of other applications finalised

AGENCY	OUT OF TIME s.66(4)	NO INTERNAL REVIEW s.66(6)	REDUCTION OF TIME s.13(4)	EXTENSION OF TIME s.13(5)	REQUEST FOR DESTRUCTION CERTIFICATE s.48(3)		TOTAL
	Refused	Refused	Refused	Refused	Allowed	Refused	
State Agencies							
Communities, Department of	0	0	1	0	0	0	1
Jobs, Tourism, Science and Innovation, Department of	0	1	0	0	0	0	1
Police Force, Western Australia	0	1	0	0	0	0	1
Public Transport Authority	1	0	0	0	0	0	1
State Administrative Tribunal	1	0	0	0	0	0	1
Training and Workforce Development, Department of	0	0	0	1	0	0	1
WACHS – South West	0	1	0	0	0	0	1
<i>Sub-total: State Agencies</i>	<i>2</i>	<i>3</i>	<i>1</i>	<i>1</i>	<i>0</i>	<i>0</i>	<i>7</i>
Local Agencies							
Karratha, City of	0	1	0	0	0	0	1
Melville, City of	0	0	1	0	0	1	2
Wyndham-East Kimberley, Shire of	0	1	0	0	0	0	1
Yalgoo, Shire of	0	0	0	1	0	0	1
<i>Sub-total: Local Agencies</i>	<i>0</i>	<i>2</i>	<i>1</i>	<i>1</i>	<i>0</i>	<i>1</i>	<i>5</i>
TOTAL	2	5	2	2	0	1	12

Table 9: FOI training and presentations

Commissioner's Speaking Engagements				Agency Briefings	
4/08/2020	Pragma Legal	21/07/2020	City of Busselton	24/09/2020	Local Government Professionals Governance Network presentation
23/09/2020	FST Government Panel Session	6/10/2020	FOI in the Health Context - WACHS-Kimberley - Part 1 of 2	13/10/2020	FOI in the Health Context - WACHS-Kimberley - Part 2 of 2
23/10/2020	John Curtin Institute of Public Policy	14/10/2020	City of Cockburn	24/11/2020	FOI for RSPCA Inspectors
8/03/2021	Open Data Day Webinar	27/11/2020	City of Nedlands FOI Briefing	7/12/2020	Department of Education
6/05/2021	Data Panel Discussion- FST Government Western Australia 2021 Digital Summit	8/12/2020	Shire of Broome	24/02/2021	Local Government FOI Group
27/05/2021	UWA Public Policy Institute – public discussion re Going Further, Faster – A Policy Agenda for WA 2021	26/02/2021	FOI refresher briefing for DMIRS	26/02/2021	FOI Decision making briefing for DMIRS
28/05/2021	WA Branch of Records and Information Management Professional Australasia (RIMPA)	10/03/2021	FOI Decision making refresher for Public Sector Commission	12/03/2021	North Metropolitan Health Service - FOI Forum
17/06/2021	PSN Data Innovation Executive Sessions - <i>Transforming Information into Insights: How to Leverage Data for Citizen-Centric Decision Making</i>	13/05/2021	FOI Briefing at DMIRS	14/05/2021	South Metropolitan Health Service - Information Session
<i>Total: Commissioner's Speaking Engagements</i>		8	<i>Total: Agency Briefings</i>		18
Webinars					
29/09/2020	International Access to Information Day: Accessing government documents in WA	14/05/2021	South Metropolitan Health Service - Senior Executive Briefing	11/06/2021	Accessing government documents in Western Australia (FOI briefing for Opposition Parliamentary staff and media)
30/09/2020	International Access to Information Day: Information Access and Local Government in WA	<i>Total: Community Briefings</i>		3	
1/10/2020	International Access to Information Day: Comparing the 'push' and 'pull' approaches of FOI and RTI legislation				
<i>Total: Webinars</i>		3			
Community Briefings					
6/07/2020	Piddington Society FOI Briefing				
20/01/2021	Piddington Society FOI Briefing				
21/02/2021	Meeting of the Local Government Elected Members Group				

FOI Coordinator Workshops	
17/08/2020	FOI Coordinators Workshop via Zoom - Module 1 of 4
18/08/2020	FOI Coordinators Workshop via Zoom - Module 2 of 4
19/08/2020	FOI Coordinators Workshop via Zoom - Module 3 of 4
20/08/2020	FOI Coordinators Workshop via Zoom - Module 4 of 4
9/09/2020	FOI Coordinators Workshop via Zoom - Module 1 of 4
15/09/2020	FOI Coordinators Workshop via Zoom - Module 2 of 4
17/09/2020	FOI Coordinators Workshop via Zoom - Module 3 of 4
26/09/2020	FOI Coordinators Workshop via Zoom - Module 4 of 4
9/11/2020	FOI Coordinators Workshop via Zoom - Module 1 of 4
10/11/2020	FOI Coordinators Workshop via Zoom - Module 2 of 4
11/11/2020	FOI Coordinators Workshop via Zoom - Module 3 of 4
12/11/2020	FOI Coordinators Workshop via Zoom - Module 4 of 4
30/11/2020	FOI Coordinators Workshop via Zoom - Module 1 of 4
1/12/2020	FOI Coordinators Workshop via Zoom - Module 2 of 4
2/12/2020	FOI Coordinators Workshop via Zoom - Module 3 of 4
3/12/2020	FOI Coordinators Workshop via Zoom - Module 4 of 4
<i>Total: FOI Coordinator Workshops</i>	
	16

Decision-makers Training	
15/07/2020	Decision Writing Workshop via Zoom
8/10/2020	Decision Writing Workshop via Zoom - Module 1 of 2
15/10/2020	Decision Writing Workshop via Zoom - Module 2 of 2
<i>Total: Decision-makers Training</i>	
	3
Moodle - FOI Fundamentals Series	
April to June 2021	Module 1 – FOI Basics
	Module 2 – Dealing with an access application – Part 1
	Module 3 – Dealing with an access application – Part 2
	Module 4 – The exemptions – Part 1
	Module 5 – The exemptions – Part 2
	Module 6 – ‘Third parties’
	Module 7– Notices of decision and review rights
	Module 8 – Other requirements of the FOI Act and series summary
<i>Total: FOI Fundamentals Series</i>	
	8
TOTAL TRAINING/PRESENTATION EVENTS	
	59

Table 10: FOI training and presentation participants

TRAINING SESSIONS (No.)	STATE GOVERNMENT	LOCAL GOVERNMENT	COMMUNITY	TOTAL
FOI Coordinators Workshops online (16)	190	85	0	275
Decision Writing Workshops online (3)	27	7	0	34
<i>Sub-total:</i>	217	92	0	309
BRIEFINGS (No.)				
Agency Briefings (18)	237	219	5	461
Community Briefings (3)	0	32	55	87
Commissioner's Speaking Engagements (8*)	288	28	288	604
<i>Sub-total:</i>	525	279	348	1152
IAID Webinars				
Accessing government documents in WA	5	2	16	23
Information Access and Local Government in WA	13	54	2	69
Comparing the 'push' and 'pull' approaches of FOI and RTI legislation	29	19	5	53
<i>Sub-total:</i>	47	75	23	145
GRAND TOTAL (ATTENDEES)	789	446	371	1,606

NOTE:

The change from full and half day workshops to shorter interactive online workshops (lasting 90 to 120 minutes) has resulted in an increase in the number of workshops being offered compared to previous years. Participants are counted at each workshop attended.

In addition to these training sessions, 71 agency officers enrolled and participated in the FOI Fundamentals online course.

* For some of the Commissioner's Speaking Engagements, participants were not included in the attendee count.

Table 11: OIC publications

Information Sheets for Members of the Public
Amendment of personal information
Can I get everything I want under FOI?
Can others access information about me or my business?
Can the agency refuse to deal with my application?
Children and people with intellectual difficulties
How long should it take to deal with an access application?
How much does it cost?
Is FOI my best option?
Requirements for a valid access application
Review of agency decisions
Role of the Information Commissioner
Steps for access applicants
The public interest
What documents can I ask for?
What happens in an external review?
What if the agency says it doesn't have the documents?
What if the agency delays making a decision
What is personal information?
Who do I contact to ask for documents? ^{UPDATED}

Information Sheets for Agency officers
Amendment of personal information
Calculating charges
Consulting third parties
Flowchart - Dealing with an FOI application
Key FOI principles for agencies
Key questions for decision-makers to consider
How long should it take to deal with an access application?
Information Statements and other required publications
Large, complex or time-consuming applications
Making submissions to the Information Commissioner
Releasing documents that may be technically exempt
Repeated requests and unreasonable conduct
The exemptions
Thinking outside the FOI box
Training for agencies
What if the documents cannot be found?
What if there are many third parties to consult?
What is personal information?
What happens in an external review?
Writing a notice of decision

Information about the External Review Process

- Consulting with third parties during external review - guide for agencies
- Decisions of the Information Commissioner – guide for access applicants
- Decisions of the Information Commissioner – guide for agencies
- Decisions of the Information Commissioner – guide for third parties
- Documents that cannot be found or do not exist – guide for access applicants
- External review procedure – guide for parties **UPDATED**
- Exchange of submissions and procedural fairness - guide for parties **NEW**
- Preparing for a conciliation conference - guide for parties
- Producing documents to the Information Commissioner – guide for agencies
- Understanding the conciliation process - guide for parties

Information about the FOI Process

- Accessing Government documents in Western Australia
- COVID-19 Managing FOI timeframes and potential office closures
- Third parties and their rights - guide for the public
- Calculating time and days guide
- Dealing with personal information about an officer of an agency
- FOI Coordinators Manual
- Dealing with requests for documents related to an 'exempt agency'

Guides to Exemptions under the FOI Act

- Clause 4(2) – Information that has a commercial value
- Clause 4(3) – Business, professional, commercial or financial affairs
- Clause 6 – Deliberative processes of Government
- Clause 7 – Legal professional privilege
- Clause 8 – Confidential communications

Other publications

- Information Statement Guidelines
- OIC Newsletter

Table 12: Injury management targets

Measure	Actual		Results against target	
	2019/20	2020/21	Target	Comment on result
Number of fatalities	0	0	Zero (0)	No lost time injuries were experienced in the reporting period.
Lost time injury and/or disease incidence rate (LTI/D)	0	0	Zero (0) or 10% reduction	
Lost time injury and/or disease	0	0	Zero (0) or 10% reduction	
Percentage of injured workers returned to work within:	N/A	N/A	Greater than or equal to 80%	
(i) 13 weeks:	N/A	N/A	Greater than or equal to 80%	
(ii) 26 weeks:				
Percentage of managers trained in occupational safety, health and injury management responsibilities	100%	100%	Greater than or equal to 80%	

Agency Statistics

Section 111 of the FOI Act requires the Commissioner to provide a report to the Speaker of the Legislative Assembly and the President of the Legislative Council on the operation of the legislation during the reporting period. In order to collate this, the following statistical information is requested from each State and local government agency for the financial year:

- the number of access applications received and dealt with;
- the number of decisions to: give access to documents; give access to edited copies of documents; defer giving access to documents; give access to a document in the manner referred to in section 28; refuse access to documents; and the number of times each of the exemption clauses was used;
- the number and outcome of applications for internal review;
- the number of applications for amendment of personal information received and dealt with;
- the number of decisions to amend personal information in accordance with an application and not to amend personal information in accordance with an application;
- the number and outcome of applications for internal review in respect of applications for amendment of personal information; and

- the amount of fees and charges collected and details of fees and charges that were reduced or waived.

Included in the survey request to agencies, the OIC requests additional information that is used to participate in national metrics reporting, gather key performance indicator data and monitor other agency compliance responsibilities under the FOI Act.

An overview of the collated data is outlined in the [FOI in the Sector](#) chapter of this report. The following tables contain the itemised data provided by agencies.

Index to tables

- 13 [Valid access applications received by agencies](#)
- 14 [Outcome of access applications finalised by agency decision](#)
- 15 [Number of times exemption clauses were used by agencies](#)
- 16 [Outcome of applications for internal review](#)
- 17 [Applications for amendment of personal information](#)
- 18 [Applications for internal review of decisions regarding amendment of personal information](#)
- 19 [Fees paid and charges collected for access applications](#)
- 20 [Charges reduced by agencies](#)

Table 13: Valid access applications received by agencies

This table reflects the total number of number of a valid access applications received by agencies in the reporting period.

The requirements of a valid access application are set out section 12(1) of the FOI Act, which provides that an access application has to:

- be in writing;
- give enough information to enable the requested documents to be identified;
- give an Australian address to which notices can be sent; and
- be lodged at an office of the agency with any application fee payable.

AGENCY	#
Group: Boards, Committees, Commissions, Authorities, Corporations	
Acacia Prison	358
Animal Resources Authority	0
Bunbury Water Corporation (Trading as Aqwest)	0
Burswood Park Board	0
Busselton Water	0
Chemistry Centre Western Australia	1
Children and Young People, Commissioner for	0
Construction Industry Long Service Leave Payments Board	0
Construction Training Fund	0
DevelopmentWA	9
Economic Regulation Authority	0
Electoral Commission, Western Australian	0
Energy Policy WA	0
Equal Opportunity Commission	5
Forest Products Commission	1
Fremantle Port Authority	1
G4S Custodial Services	0
Gascoyne Development Commission	0
Gold Corporation	2
Goldfields-Esperance Development Commission	0
Government Employees Superannuation Board	2
Great Southern Development Commission	0

AGENCY	#
Greyhound Racing Association, Western Australian	0
Horizon Power	2
Infrastructure WA	0
Institute of Sport of, Western Australian	1
Insurance Commission of Western Australia	110
Kimberley Development Commission	0
Kimberley Ports Authority	0
Landgate	11
Legal Aid Commission of Western Australia	25
Legal Practice Board of WA, The	4
Legal Profession Complaints Committee	6
Lotteries Commission	6
Metropolitan Cemeteries Board	4
Mid West Development Commission	0
Midwest Ports Authority	0
Minerals Research Institute of Western Australia	0
National Trust of Australia (WA)	1
Peel Development Commission	0
Pilbara Development Commission	1
Pilbara Ports Authority	4
Public Advocate, Office of the	6
Public Sector Commission	10
Public Transport Authority	26

AGENCY	#
Public Trust Office	0
Racing and Wagering Western Australia	14
School Curriculum and Standards Authority	5
Small Business Development Corporation	1
South West Development Commission	1
Southern Ports Authority	2
Sports Centre Trust (VenuesWest) Centre, Western Australian	2
State Administrative Tribunal	7
Synergy	0
Treasury Corporation, Western Australian	1
Trotting Association, Western Australian	1
Water Corporation	64
Western Power	58
Wheatbelt Development Commission	0
WorkCover Western Australia Authority (WorkCover WA)	148
<i>Sub-Total: Boards, Committees, Commissions, Authorities, Corporations</i>	<i>900</i>
Group: Departments (except Police and Health-related agencies)	
Biodiversity, Conservation and Attractions, Department of	33
Central Regional TAFE	2
Communities, Department of	594
Education, Department of	100
Finance, Department of	27
Fire and Emergency Services, Department of	201
Jobs, Tourism, Science and Innovation, Department of	28
Justice, Department of	1,046
Local Government, Sport and Cultural Industries, Department of	59
Main Roads Western Australia	59
Mines, Industry Regulation and Safety, Department of	784
North Metropolitan TAFE	17
North Regional TAFE	1
Planning, Lands and Heritage, Department of	174
Premier and Cabinet, Department of the	53
Primary Industries and Regional Development, Department of	38

AGENCY	#
Registrar, WA Industrial Relations Commission, Department of the	1
South Metropolitan TAFE	1
South Regional TAFE	0
Training and Workforce Development, Department of	15
Transport, Department of	258
Treasury, Department of	4
Water and Environmental Regulation, Department of	237
<i>Sub-Total: Departments</i>	<i>3,732</i>
Group: Health-related agencies	
<i>East Metropolitan Health Services (EMHS)</i>	
Child and Adolescent Health Service (CAHS)	350
Chief Psychiatrist, Office of the	4
Dental Health Services	0
EMHS - Armadale Kalamunda Group	720
EMHS - Bentley Health Service	404
EMHS - Corporate Office	9
EMHS - Royal Perth Hospital	2,312
<i>Sub-total: EMHS</i>	<i>3,799</i>
<i>North Metropolitan Health Services (NMHS)</i>	
Health, Department of	76
Health and Disability Services Complaints Office	5
Health Promotion Foundation WA	0
Mental Health Commission	0
NMHS - Corporate Office	23
NMHS - Mental Health	465
NMHS - Osborne Park Hospital	89
NMHS - Sir Charles Gairdner Hospital	1,105
NMHS - Women and Newborn Health Service	305
PathWest Laboratory Medicine WA	43
<i>Sub-total: NMHS</i>	<i>2,111</i>
<i>South Metropolitan Health Services (SMHS)</i>	
SMHS - Corporate Office	0
SMHS - Fiona Stanley Fremantle Hospital Group	1,885

AGENCY	#
SMHS - Rockingham Peel Group	555
<i>Sub-total: SMHS</i>	<i>2,440</i>
<i>Western Australia Country Health Services (WACHS)</i>	
WACHS - Central Office	5
WACHS - Goldfields	393
WACHS - Great Southern	237
WACHS - Kimberley	856
WACHS - Midwest	350
WACHS - Pilbara	510
WACHS - South West	696
WACHS - Wheatbelt	623
<i>Sub-total: WACHS</i>	<i>3,670</i>
<i>Sub-Total: Health-related agencies</i>	<i>12,020</i>
Group: Local Governments	
Albany, City of	22
Armadale, City of	36
Augusta-Margaret River, Shire of	14
Bassendean, Town of	10
Bayswater, City of	15
Belmont, City of	22
Beverley, Shire of	0
Boddington, Shire of	0
Boyup Brook, Shire of	2
Bridgetown-Greenbushes, Shire of	1
Brookton, Shire of	0
Broome, Shire of	18
Broomehill-Tambellup, Shire of	0
Bruce Rock, Shire of	0
Bunbury, City of	7
Bunbury-Harvey Regional Council	1
Busselton, City of	13
Cambridge, Town of	22
Canning, City of	23

AGENCY	#
Capel, Shire of	11
Carnarvon, Shire of	4
Chapman Valley, Shire of	2
Chittering, Shire of	5
Claremont, Town of	1
Cockburn, City of	27
Collie, Shire of	1
Coolgardie, Shire of	0
Coorow, Shire of	0
Corrigin, Shire of	0
Cottesloe, Town of	9
Cranbrook, Shire of	0
Cuballing, Shire of	0
Cue, Shire of	1
Cunderdin, Shire of	0
Dalwallinu, Shire of	1
Dandaragan, Shire of	3
Dardanup, Shire of	2
Denmark, Shire of	4
Derby-West Kimberley, Shire of	3
Donnybrook-Balingup, Shire of	5
Dowerin, Shire of	0
Dumbleyung, Shire of	0
Dundas, Shire of	0
East Fremantle, Town of	2
East Pilbara, Shire of	1
Eastern Metropolitan Regional Council	1
Esperance, Shire of	2
Exmouth, Shire of	1
Fremantle, City of	20
Gingin, Shire of	50
Gnowangerup, Shire of	0
Goomalling, Shire of	0
Gosnells, City of	37

AGENCY	#
Greater Geraldton, City of	11
Halls Creek, Shire of	3
Harvey, Shire of	9
Irwin, Shire of	0
Jerramungup, Shire of	0
Joondalup, City of	88
Kalamunda, City of	28
Kalgoorlie-Boulder, City of	11
Karratha, City of	6
Katanning, Shire of	1
Kellerberrin, Shire of	0
Kent, Shire of	0
Kojonup, Shire of	1
Kondinin, Shire of	1
Koorda, Shire of	0
Kulin, Shire of	0
Kwinana, City of	6
Lake Grace, Shire of	1
Laverton, Shire of	0
Leonora, Shire of	0
Mandurah, City of	10
Manjimup, Shire of	5
Meekatharra, Shire of	0
Melville, City of	61
Menzies, Shire of	0
Mindarie Regional Council	0
Mingenew, Shire of	0
Morawa, Shire of	0
Mosman Park, Town of	14
Mount Magnet, Shire of	0
Mount Marshall, Shire of	0
Mukinbudin, Shire of	0
Mundaring, Shire of	9
Murray, Shire of	7

AGENCY	#
Nannup, Shire of	0
Narembeen, Shire of	0
Narrogin, Shire of	1
Nedlands, City of	13
Ngaanyatjarraku, Shire of	0
Northam, Shire of	6
Northampton, Shire of	0
Nungarin, Shire of	0
Peppermint Grove, Shire of	2
Perenjori, Shire of	0
Perth, City of	38
Pingelly, Shire of	0
Plantagenet, Shire of	3
Port Hedland, Town of	11
Quairading, Shire of	0
Ravensthorpe, Shire of	1
Rivers Regional Council	0
Rockingham, City of	34
Sandstone, Shire of	0
Serpentine-Jarrahdale, Shire of	14
Shark Bay, Shire of	0
South Perth, City of	7
Southern Metropolitan Regional Council	0
Stirling, City of	61
Subiaco, City of	12
Swan, City of	62
Tamala Park Regional Council	0
Tammin, Shire of	0
Three Springs, Shire of	0
Toodyay, Shire of	10
Trayning, Shire of	0
Upper Gascoyne, Shire of	0
Victoria Park, Town of	7
Vincent, City of	4

AGENCY	#
Wagin, Shire of	0
Wandering, Shire of	0
Wanneroo, City of	43
Waroona, Shire of	2
West Arthur, Shire of	0
Western Metropolitan Regional Council	0
Westonia, Shire of	0
Wickepin, Shire of	0
Williams, Shire of	0
Woodanilling, Shire of	0
Wyalkatchem, Shire of	0
Wyndham-East Kimberley, Shire of	8
Yalgoo, Shire of	1
Yilgarn, Shire of	1
York, Shire of	4
<i>Sub-Total: Local Governments</i>	<i>1,016</i>
Group: Ministers	
Buti MLA, Hon Dr T	2
Carey MLA, Hon J N	2
Cook MLA, Hon R H	14
Dawson MLC, Hon S N	2
Ellery MLC, Hon S M	4
Johnston MLA, Hon W J	5
Kelly MLA, Hon D J	1
Logan, Hon F M	2
MacTiernan MLC, Hon A	2
McGurk MLA, Hon S F	1
Murray, Hon M P*	0
Papalia MLA, Hon P	2
Punch MLA, Hon D T	0
Quigley MLA, Hon J R	6
Roberts, Hon M H*	0

AGENCY	#
Saffioti MLA, Hon R	9
Sanderson MLA, Hon A	3
Templeman MLA, Hon D A	1
Tinley, Hon P C*	0
Whitby, Hon R R*	0
Wyatt, Hon B S*	2
<i>Sub-Total: Ministers</i>	<i>58</i>
Group: WA Police	
Police Force, Western Australia	2,577
<i>Sub-Total: Police</i>	<i>2,577</i>
Group: Universities	
Curtin University	13
Edith Cowan University	18
Murdoch University	9
University of Western Australia, The	11
<i>Sub-Total: Universities</i>	<i>51</i>
TOTAL	20,354

* For the period July 2020 - March 2021

SUMMARY	#
Boards, Committees, Commissions, Authorities, Corporations	900
Departments (except Police and Health-related agencies)	3,732
Health-related agencies	12,020
Local Governments	1,016
Ministers	58
Police	2,577
Universities	51
TOTAL	20,354

1. The number of access applications received by an agency includes applications that were transferred from another agency; and applications that were subsequently withdrawn by the applicant.
2. If an agency does not appear in this table, it is because any required data was not received in time for publication.

Table 14: Outcome of access applications finalised by agency decision

This table reflects the outcomes of the valid access applications that resulted in an agency decision. It does not include valid access applications that were subsequently withdrawn.

When dealing with a valid access application, the agency may decide to:

- give full access to all of the requested documents;
- give edited access to copies of the requested documents;
- give access but to defer that access under section 25 of the FOI Act;
- give access through a medical practitioner under section 28 of the FOI Act;
- refuse access under section 26 of the FOI Act on the basis that the requested documents cannot be found or do not exist;
- refuse access to all of the requested documents under section 23 of the FOI Act; or
- refuse to deal with the access application under section 20 of the FOI Act on the basis that dealing with it would involve a substantial and unreasonable diversion of the agencies resources (included in the count of 'access refused' in Table 14).

AGENCY	DECISION OUTCOMES					
	Give access				Refuse access	
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	Section 28 No. (%)	Section 26 No. (%)	Refused * No. (%)
Group: Boards, Committees, Commissions, Authorities, Corporations						
Acacia Prison	197 (52)	175 (46.2)	0 (0)	0 (0)	6 (1.6)	1 (0.3)
Chemistry Centre Western Australia	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
DevelopmentWA	0 (0)	8 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Equal Opportunity Commission	1 (33.3)	1 (33.3)	0 (0)	0 (0)	1 (33.3)	0 (0)
Forest Products Commission	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Fremantle Port Authority	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Gold Corporation	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1 (100)
Government Employees Superannuation Board	0 (0)	1 (50)	0 (0)	0 (0)	0 (0)	1 (50)
Horizon Power	0 (0)	2 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Insurance Commission of Western Australia	0 (0)	101 (98.1)	0 (0)	0 (0)	2 (1.9)	0 (0)
Landgate	1 (9.1)	8 (72.7)	0 (0)	0 (0)	1 (9.1)	1 (9.1)
Legal Aid Commission of Western Australia	5 (29.4)	6 (35.3)	0 (0)	0 (0)	0 (0)	6 (35.3)
Legal Practice Board of WA, The	0 (0)	2 (50)	0 (0)	0 (0)	2 (50)	0 (0)

AGENCY	DECISION OUTCOMES					
	Give access				Refuse access	
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	Section 28 No. (%)	Section 26 No. (%)	Refused * No. (%)
Legal Profession Complaints Committee	0 (0)	3 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Lotteries Commission	0 (0)	5 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Metropolitan Cemeteries Board	1 (25)	1 (25)	0 (0)	0 (0)	2 (50)	0 (0)
National Trust of Australia (WA)	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Pilbara Development Commission	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Pilbara Ports Authority	0 (0)	2 (66.7)	0 (0)	0 (0)	0 (0)	1 (33.3)
Public Advocate, Office of the	0 (0)	5 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Public Sector Commission	1 (12.5)	2 (25)	0 (0)	0 (0)	2 (25)	3 (37.5)
Public Transport Authority	8 (29.6)	12 (44.4)	0 (0)	0 (0)	5 (18.5)	2 (7.4)
Racing and Wagering Western Australia	5 (38.5)	8 (61.5)	0 (0)	0 (0)	0 (0)	0 (0)
Registrar, WA Industrial Relations Commission, Department of the	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
School Curriculum and Standards Authority	0 (0)	4 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Small Business Development Corporation	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Southern Ports Authority	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
State Administrative Tribunal	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	7 (100)
Treasury Corporation, Western Australian	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Trotting Association, Western Australian	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1 (100)
Water Corporation	17 (27.9)	38 (62.3)	0 (0)	0 (0)	5 (8.2)	1 (1.6)
Western Power	4 (7.4)	49 (90.7)	0 (0)	0 (0)	1 (1.9)	0 (0)
WorkCover Western Australia Authority (WorkCover WA)	113 (78.5)	9 (6.3)	0 (0)	0 (0)	19 (13.2)	3 (2.1)
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<i>354 (40.3)</i>	<i>450 (51.3)</i>	<i>0 (0)</i>	<i>0 (0)</i>	<i>46 (5.2)</i>	<i>28 (3.2)</i>
Group: Departments (except Police and Health-related agencies)						
Biodiversity, Conservation and Attractions, Department of	11 (35.5)	18 (58.1)	0 (0)	0 (0)	1 (3.2)	1 (3.2)
Central Regional TAFE	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	2 (100)
Communities, Department of	70 (12.1)	443 (76.6)	0 (0)	0 (0)	45 (7.8)	20 (3.5)
Education, Department of	33 (36.7)	38 (42.2)	1 (1.1)	0 (0)	12 (13.3)	6 (6.7)
Finance, Department of	16 (61.5)	4 (15.4)	0 (0)	0 (0)	6 (23.1)	0 (0)
Fire and Emergency Services, Department of	0 (0)	176 (95.7)	2 (1.1)	0 (0)	6 (3.3)	0 (0)

AGENCY	DECISION OUTCOMES					
	Give access				Refuse access	
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	Section 28 No. (%)	Section 26 No. (%)	Refused * No. (%)
Jobs, Tourism, Science and Innovation, Department of	4 (16)	19 (76)	0 (0)	0 (0)	1 (4)	1 (4)
Justice, Department of	114 (12.4)	626 (68.2)	3 (0.3)	4 (0.4)	58 (6.3)	113 (12.3)
Local Government, Sport and Cultural Industries, Department of	19 (41.3)	23 (50)	0 (0)	0 (0)	1 (2.2)	3 (6.5)
Main Roads Western Australia	11 (17.2)	34 (53.1)	0 (0)	0 (0)	8 (12.5)	11 (17.2)
Mines, Industry Regulation and Safety, Department of	142 (20.2)	211 (30)	0 (0)	0 (0)	309 (44)	41 (5.8)
North Metropolitan TAFE	14 (87.5)	2 (12.5)	0 (0)	0 (0)	0 (0)	0 (0)
North Regional TAFE	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Planning, Lands and Heritage, Department of	1 (0.6)	97 (62.2)	0 (0)	0 (0)	56 (35.9)	2 (1.3)
Premier and Cabinet, Department of the	12 (22.6)	17 (32.1)	0 (0)	0 (0)	16 (30.2)	8 (15.1)
Primary Industries and Regional Development, Department of	4 (12.5)	12 (37.5)	0 (0)	0 (0)	15 (46.9)	1 (3.1)
South Metropolitan TAFE	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Training and Workforce Development, Department of	4 (28.6)	8 (57.1)	0 (0)	0 (0)	0 (0)	2 (14.3)
Transport, Department of	28 (13.5)	145 (70)	0 (0)	0 (0)	20 (9.7)	14 (6.8)
Treasury, Department of	0 (0)	2 (50)	0 (0)	0 (0)	1 (25)	1 (25)
Water and Environmental Regulation, Department of	60 (28)	32 (15)	0 (0)	0 (0)	92 (43)	30 (14)
<i>Sub-total: Departments (except Police and Health-related agencies)</i>	<i>543 (16.1)</i>	<i>1,909 (56.7)</i>	<i>6 (0.2)</i>	<i>4 (0.1)</i>	<i>647 (19.2)</i>	<i>256 (7.6)</i>
Group: Health-related agencies						
Chief Psychiatrist, Office of the	4 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Child and Adolescent Health Service (CAHS)	7 (2.7)	192 (73.3)	0 (0)	21 (8)	10 (3.8)	32 (12.2)
EMHS - Armadale Kalamunda Group	192 (28.7)	411 (61.3)	0 (0)	0 (0)	56 (8.4)	11 (1.6)
EMHS - Bentley Health Service	37 (10.6)	292 (83.4)	1 (0.3)	0 (0)	16 (4.6)	4 (1.1)
EMHS - Corporate Office	1 (12.5)	6 (75)	0 (0)	0 (0)	1 (12.5)	0 (0)
EMHS - Royal Perth Hospital	2,198 (95.2)	37 (1.6)	0 (0)	0 (0)	49 (2.1)	26 (1.1)
Health and Disability Services Complaints Office	0 (0)	3 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Health, Department of	21 (32.8)	28 (43.8)	0 (0)	0 (0)	14 (21.9)	1 (1.6)
NMHS - Corporate Office	7 (35)	4 (20)	0 (0)	0 (0)	3 (15)	6 (30)
NMHS - Mental Health	285 (64.2)	142 (32)	0 (0)	0 (0)	17 (3.8)	0 (0)
NMHS - Osborne Park Hospital	89 (93.7)	0 (0)	0 (0)	0 (0)	6 (6.3)	0 (0)

AGENCY	DECISION OUTCOMES					
	Give access				Refuse access	
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	Section 28 No. (%)	Section 26 No. (%)	Refused * No. (%)
NMHS - Sir Charles Gairdner Hospital	770 (78.7)	147 (15)	8 (0.8)	3 (0.3)	48 (4.9)	2 (0.2)
NMHS - Women and Newborn Health Service	240 (96)	0 (0)	0 (0)	6 (2.4)	3 (1.2)	1 (0.4)
PathWest Laboratory Medicine WA	35 (81.4)	8 (18.6)	0 (0)	0 (0)	0 (0)	0 (0)
SMHS - Fiona Stanley Fremantle Hospital Group	1,729 (95.9)	8 (0.4)	0 (0)	1 (0.1)	63 (3.5)	2 (0.1)
SMHS - Rockingham Peel Group	397 (73.8)	104 (19.3)	0 (0)	1 (0.2)	33 (6.1)	3 (0.6)
WACHS - Central Office	1 (20)	4 (80)	0 (0)	0 (0)	0 (0)	0 (0)
WACHS - Goldfields	13 (4.5)	276 (94.8)	0 (0)	0 (0)	2 (0.7)	0 (0)
WACHS - Great Southern	187 (91.7)	5 (2.5)	0 (0)	0 (0)	5 (2.5)	7 (3.4)
WACHS - Kimberley	140 (17.6)	656 (82.4)	0 (0)	0 (0)	0 (0)	0 (0)
WACHS - Midwest	2 (0.6)	303 (89.1)	0 (0)	0 (0)	35 (10.3)	0 (0)
WACHS - Pilbara	0 (0)	465 (98.1)	0 (0)	0 (0)	9 (1.9)	0 (0)
WACHS - South West	337 (57)	244 (41.3)	0 (0)	0 (0)	10 (1.7)	0 (0)
WACHS - Wheatbelt	213 (34.5)	366 (59.2)	0 (0)	0 (0)	39 (6.3)	0 (0)
<i>Sub-total: Health-related agencies</i>	<i>6,905 (61.9)</i>	<i>3,701 (33.2)</i>	<i>9 (0.1)</i>	<i>32 (0.3)</i>	<i>419 (3.7)</i>	<i>95 (0.8)</i>
Group: Local Governments						
Albany, City of	0 (0)	22 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Armadale, City of	1 (3.1)	30 (93.8)	0 (0)	0 (0)	0 (0)	1 (3.1)
Augusta-Margaret River, Shire of	0 (0)	14 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Bassendean, Town of	1 (11.1)	7 (77.8)	0 (0)	0 (0)	0 (0)	1 (11.1)
Bayswater, City of	1 (5.9)	13 (76.5)	0 (0)	0 (0)	2 (11.8)	1 (5.9)
Belmont, City of	0 (0)	17 (77.3)	0 (0)	0 (0)	1 (4.5)	4 (18.2)
Boyup Brook, Shire of	2 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Bridgetown-Greenbushes, Shire of	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Broome, Shire of	3 (30)	6 (60)	0 (0)	0 (0)	0 (0)	1 (10)
Bunbury, City of	2 (28.6)	2 (28.6)	0 (0)	0 (0)	1 (14.3)	2 (28.6)
Bunbury-Harvey Regional Council	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Busselton, City of	5 (50)	5 (50)	0 (0)	0 (0)	0 (0)	0 (0)
Cambridge, Town of	1 (5.9)	13 (76.5)	0 (0)	0 (0)	1 (5.9)	2 (11.8)

AGENCY	DECISION OUTCOMES					
	Give access				Refuse access	
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	Section 28 No. (%)	Section 26 No. (%)	Refused * No. (%)
Canning, City of	3 (27.3)	7 (63.6)	0 (0)	0 (0)	0 (0)	1 (9.1)
Capel, Shire of	2 (20)	8 (80)	0 (0)	0 (0)	0 (0)	0 (0)
Carnarvon, Shire of	2 (66.7)	1 (33.3)	0 (0)	0 (0)	0 (0)	0 (0)
Chapman Valley, Shire of	2 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Chittering, Shire of	2 (50)	2 (50)	0 (0)	0 (0)	0 (0)	0 (0)
Claremont, Town of	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Cockburn, City of	2 (8)	21 (84)	1 (4)	0 (0)	1 (4)	0 (0)
Collie, Shire of	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Cottesloe, Town of	3 (37.5)	3 (37.5)	0 (0)	0 (0)	0 (0)	2 (25)
Cue, Shire of	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Dalwallinu, Shire of	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Dandaragan, Shire of	3 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Dardanup, Shire of	0 (0)	2 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Denmark, Shire of	0 (0)	2 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Derby-West Kimberley, Shire of	3 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Donnybrook-Balingup, Shire of	0 (0)	2 (100)	0 (0)	0 (0)	0 (0)	0 (0)
East Fremantle, Town of	2 (66.7)	1 (33.3)	0 (0)	0 (0)	0 (0)	0 (0)
East Pilbara, Shire of	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Eastern Metropolitan Regional Council	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Esperance, Shire of	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Exmouth, Shire of	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Fremantle, City of	1 (5.6)	17 (94.4)	0 (0)	0 (0)	0 (0)	0 (0)
Gingin, Shire of	1 (2)	49 (98)	0 (0)	0 (0)	0 (0)	0 (0)
Gosnells, City of	0 (0)	34 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Greater Geraldton, City of	0 (0)	9 (90)	0 (0)	0 (0)	1 (10)	0 (0)
Halls Creek, Shire of	0 (0)	2 (66.7)	0 (0)	0 (0)	1 (33.3)	0 (0)
Harvey, Shire of	1 (14.3)	6 (85.7)	0 (0)	0 (0)	0 (0)	0 (0)
Joondalup, City of	2 (2.4)	70 (83.3)	0 (0)	0 (0)	12 (14.3)	0 (0)

AGENCY	DECISION OUTCOMES					
	Give access				Refuse access	
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	Section 28 No. (%)	Section 26 No. (%)	Refused * No. (%)
Kalamunda, City of	2 (6.9)	23 (79.3)	0 (0)	0 (0)	1 (3.4)	3 (10.3)
Kalgoorlie-Boulder, City of	2 (22.2)	6 (66.7)	0 (0)	0 (0)	1 (11.1)	0 (0)
Karratha, City of	1 (16.7)	5 (83.3)	0 (0)	0 (0)	0 (0)	0 (0)
Kwinana, City of	2 (33.3)	1 (16.7)	0 (0)	0 (0)	3 (50)	0 (0)
Lake Grace, Shire of	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Mandurah, City of	2 (22.2)	6 (66.7)	0 (0)	0 (0)	1 (11.1)	0 (0)
Manjimup, Shire of	1 (20)	3 (60)	0 (0)	0 (0)	0 (0)	1 (20)
Melville, City of	6 (11.1)	41 (75.9)	0 (0)	0 (0)	1 (1.9)	6 (11.1)
Mosman Park, Town of	0 (0)	11 (84.6)	1 (7.7)	0 (0)	1 (7.7)	0 (0)
Mundaring, Shire of	2 (22.2)	7 (77.8)	0 (0)	0 (0)	0 (0)	0 (0)
Murray, Shire of	0 (0)	7 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Narrogin, Shire of	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Nedlands, City of	0 (0)	11 (91.7)	0 (0)	0 (0)	1 (8.3)	0 (0)
Northam, Shire of	1 (20)	4 (80)	0 (0)	0 (0)	0 (0)	0 (0)
Peppermint Grove, Shire of	2 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Perth, City of	18 (58.1)	12 (38.7)	0 (0)	0 (0)	0 (0)	1 (3.2)
Plantagenet, Shire of	0 (0)	2 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Port Hedland, Town of	3 (27.3)	7 (63.6)	0 (0)	0 (0)	1 (9.1)	0 (0)
Ravensthorpe, Shire of	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Rockingham, City of	3 (11.1)	22 (81.5)	0 (0)	0 (0)	1 (3.7)	1 (3.7)
Serpentine-Jarrahdale, Shire of	1 (10)	9 (90)	0 (0)	0 (0)	0 (0)	0 (0)
South Perth, City of	1 (11.1)	5 (55.6)	0 (0)	0 (0)	1 (11.1)	2 (22.2)
Stirling, City of	0 (0)	66 (98.5)	0 (0)	0 (0)	1 (1.5)	0 (0)
Subiaco, City of	1 (8.3)	5 (41.7)	0 (0)	0 (0)	1 (8.3)	5 (41.7)
Swan, City of	2 (4.1)	39 (79.6)	0 (0)	0 (0)	6 (12.2)	2 (4.1)
Toodyay, Shire of	2 (20)	8 (80)	0 (0)	0 (0)	0 (0)	0 (0)
Victoria Park, Town of	2 (20)	7 (70)	0 (0)	0 (0)	1 (10)	0 (0)
Vincent, City of	0 (0)	2 (50)	0 (0)	0 (0)	2 (50)	0 (0)

AGENCY	DECISION OUTCOMES					
	Give access				Refuse access	
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	Section 28 No. (%)	Section 26 No. (%)	Refused * No. (%)
Wanneroo, City of	5 (11.6)	35 (81.4)	0 (0)	0 (0)	3 (7)	0 (0)
Waroona, Shire of	0 (0)	2 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Wyndham-East Kimberley, Shire of	3 (50)	3 (50)	0 (0)	0 (0)	0 (0)	0 (0)
Yalgoo, Shire of	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Yilgarn, Shire of	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
York, Shire of	0 (0)	4 (100)	0 (0)	0 (0)	0 (0)	0 (0)
<i>Sub-total: Local Governments</i>	<i>115 (12.4)</i>	<i>725 (78.5)</i>	<i>2 (0.2)</i>	<i>0 (0)</i>	<i>46 (5)</i>	<i>36 (3.9)</i>
Group: Ministers						
Carey MLA, Hon J N	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Cook MLA, Hon R H	5 (45.5)	5 (45.5)	0 (0)	0 (0)	0 (0)	1 (9.1)
Dawson MLC, Hon S N	2 (50)	0 (0)	0 (0)	0 (0)	2 (50)	0 (0)
Ellery MLC, Hon S M	1 (50)	1 (50)	0 (0)	0 (0)	0 (0)	0 (0)
Johnston MLA, Hon W J	2 (40)	2 (40)	0 (0)	0 (0)	1 (20)	0 (0)
Kelly MLA, Hon D J	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Logan, Hon F M	0 (0)	1 (50)	0 (0)	0 (0)	0 (0)	1 (50)
MacTiernan MLC, Hon A	1 (33.3)	1 (33.3)	0 (0)	0 (0)	0 (0)	1 (33.3)
McGurk MLA, Hon S F	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Papalia MLA, Hon P	0 (0)	1 (50)	0 (0)	0 (0)	1 (50)	0 (0)
Quigley MLA, Hon J R	0 (0)	0 (0)	0 (0)	0 (0)	2 (100)	0 (0)
Saffioti MLA, Hon R	1 (25)	2 (50)	0 (0)	0 (0)	1 (25)	0 (0)
Templeman MLA, Hon D A	0 (0)	1 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Wyatt, Hon B S	0 (0)	2 (100)	0 (0)	0 (0)	0 (0)	0 (0)
<i>Sub-total: Ministers</i>	<i>13 (31.7)</i>	<i>18 (43.9)</i>	<i>0 (0)</i>	<i>0 (0)</i>	<i>7 (17.1)</i>	<i>3 (7.3)</i>
Group: Police						
Police Force, Western Australia	306 (17)	518 (28.7)	0 (0)	0 (0)	60 (3.3)	921 (51)
<i>Sub-total: Police</i>	<i>306 (17)</i>	<i>518 (28.7)</i>	<i>0 (0)</i>	<i>0 (0)</i>	<i>60 (3.3)</i>	<i>921 (51)</i>
Group: Universities						
Curtin University	0 (0)	7 (58.3)	0 (0)	0 (0)	1 (8.3)	4 (33.3)

AGENCY	DECISION OUTCOMES					
	Give access				Refuse access	
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	Section 28 No. (%)	Section 26 No. (%)	Refused * No. (%)
Edith Cowan University	0 (0)	12 (100)	0 (0)	0 (0)	0 (0)	0 (0)
Murdoch University	2 (22.2)	3 (33.3)	0 (0)	0 (0)	0 (0)	4 (44.4)
University of Western Australia, The	0 (0)	5 (62.5)	0 (0)	0 (0)	0 (0)	3 (37.5)
<i>Sub-total: Universities</i>	<i>2 (4.9)</i>	<i>27 (65.9)</i>	<i>0 (0)</i>	<i>0 (0)</i>	<i>1 (2.4)</i>	<i>11 (26.8)</i>
TOTAL	8,238	7,348	17	36	1,226	1,350
Percentage	45.23%	40.34%	0.09%	0.20%	6.73%	7.41%
GRAND TOTAL	18,215					

SUMMARY	DECISION OUTCOMES					
	Give access				Refuse access	
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	s.26 No. (%)	Refused* No. (%)
Boards, Committees, Commissions, Authorities, Corporations	354 (40.3)	450 (51.3)	0 (0)	0 (0)	46 (5.2)	28 (3.2)
Departments (except Police and Health-related agencies)	543 (16.1)	1,909 (56.7)	6 (0.2)	4 (0.1)	647 (19.2)	256 (7.6)
Health-related agencies	6,905 (61.9)	3,701 (33.2)	9 (0.1)	32 (0.3)	419 (3.7)	95 (0.8)
Local Governments	115 (12.4)	725 (78.5)	2 (0.2)	0 (0)	46 (5)	36 (3.9)
Ministers	13 (31.7)	18 (43.9)	0 (0)	0 (0)	7 (17.1)	3 (7.3)
Police	306 (17)	518 (28.7)	0 (0)	0 (0)	60 (3.3)	921 (51)
Universities	2 (4.9)	27 (65.9)	0 (0)	0 (0)	1 (2.4)	11 (26.8)
TOTAL	8,238	7,348	17	36	1,226	1,350
Percentage	45.23%	40.34%	0.09%	0.20%	6.73%	7.41%
GRAND TOTAL	18,215					

* These figures include decisions to refuse to deal with an access application under section 20.

Notes:

1. This table reflects decisions made by agencies. Those agencies that did not decide any access applications in 2020/21 are not listed.
2. In addition to matters finalised by decision of an agency, 690 applications were withdrawn by the applicant prior to a decision being made.

Table 15: Number of times exemption clauses were used by agencies

This table reflects exemptions claimed by agencies when refusing access to documents in part or in full. An agency may refuse access to a document if it contains information that is exempt under one of the exemptions listed in Schedule 1 to the FOI Act.

AGENCY	EXEMPTION CLAUSE (Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Group: Boards, Committees, Commissions, Authorities, Corporations																
DevelopmentWA	0	0	8	0	0	0	0	1	1	0	2	0	0	0	0	0
Forest Products Commission	0	0	1	1	0	0	1	0	0	0	0	0	0	0	0	0
Gold Corporation	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Government Employees Superannuation Board	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
Horizon Power	0	0	2	0	0	0	0	1	1	0	0	0	0	0	0	0
Institute of Sport, Western Australian	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0
Insurance Commission of Western Australia	0	0	101	2	0	0	36	10	0	0	0	0	0	0	0	0
Landgate	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0
Legal Aid Commission of Western Australia	0	0	8	0	0	0	0	2	0	0	0	0	0	0	0	0
Legal Practice Board of WA, The	0	0	2	0	0	0	1	1	0	0	0	1	0	0	0	0
Legal Profession Complaints Committee	0	0	2	0	0	0	0	2	0	0	0	0	0	0	0	0
Lotteries Commission	0	0	4	1	0	0	0	3	2	0	1	0	3	0	0	0
Metropolitan Cemeteries Board	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0
Pilbara Ports Authority	0	0	2	0	0	1	0	0	0	0	0	0	0	0	0	0
Public Advocate, Office of the	0	0	5	0	0	0	0	1	5	0	0	0	0	0	0	0
Public Sector Commission	1	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0
Public Transport Authority	0	0	13	3	0	0	1	0	0	0	1	0	0	0	0	0
Racing and Wagering Western Australia	0	0	8	0	0	3	0	0	2	0	1	0	0	0	0	0
School Curriculum and Standards Authority	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0
Small Business Development Corporation	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Southern Ports Authority	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
Trotting Association, Western Australian	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
Water Corporation	0	0	35	9	0	0	6	1	2	0	0	0	0	0	0	0

AGENCY	EXEMPTION CLAUSE (Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Western Power	0	0	49	0	0	0	1	2	2	0	1	0	0	0	0	0
WorkCover Western Australia Authority (WorkCover WA)	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<i>1</i>	<i>0</i>	<i>257</i>	<i>18</i>	<i>0</i>	<i>7</i>	<i>47</i>	<i>27</i>	<i>15</i>	<i>0</i>	<i>6</i>	<i>2</i>	<i>3</i>	<i>0</i>	<i>0</i>	<i>1</i>
Group: Departments, (except Police and Health-related agencies)																
Biodiversity, Conservation and Attractions, Department of	1	0	13	7	0	0	3	7	1	0	1	0	1	0	0	0
Communities, Department of	1	0	449	5	0	52	3	10	2	0	0	0	2	1	180	0
Education, Department of	0	0	39	0	0	0	2	4	5	0	1	0	4	0	1	0
Finance, Department of	0	0	2	1	0	1	0	1	0	0	1	0	0	0	0	0
Fire and Emergency Services, Department of	1	1	169	117	0	0	1	1	1	0	0	0	0	0	0	0
Jobs, Tourism, Science and Innovation, Department of	5	0	10	13	0	0	4	2	3	0	0	0	0	0	0	0
Justice, Department of	2	1	637	0	0	69	23	3	7	0	0	140	3	0	14	0
Local Government, Sport and Cultural Industries, Department of	1	0	23	1	0	1	0	3	0	0	0	0	0	0	0	0
Main Roads Western Australia	1	0	34	3	0	2	6	1	4	0	3	0	0	0	0	0
Mines, Industry Regulation and Safety, Department of	7	0	192	49	0	29	3	9	7	0	1	3	0	0	0	0
Planning, Lands and Heritage, Department of	1	0	3	9	0	0	2	5	2	0	3	0	0	0	0	0
Premier and Cabinet the, Department of	8	1	14	4	0	2	2	3	2	0	1	0	4	0	0	0
Primary Industries and Regional Development, Department of	0	0	12	1	0	0	0	1	0	0	0	0	0	0	0	0
Training and Workforce Development, Department of	1	1	8	1	0	0	0	0	1	0	0	0	0	0	0	0
Transport, Department of	2	0	122	2	0	1	1	3	2	0	0	1	0	0	0	0
Treasury, Department of	3	1	0	1	0	0	0	2	0	0	0	0	0	0	0	0
Water and Environmental Regulation, Department of	0	0	7	12	0	7	7	2	10	0	0	0	0	0	1	0
<i>Sub-total: Departments (Except Police and Health-related agencies)</i>	<i>34</i>	<i>5</i>	<i>1,734</i>	<i>226</i>	<i>0</i>	<i>164</i>	<i>57</i>	<i>57</i>	<i>47</i>	<i>0</i>	<i>11</i>	<i>144</i>	<i>14</i>	<i>1</i>	<i>196</i>	<i>0</i>
Group: Health-related agencies																
Child and Adolescent Health Service (CAHS)	0	0	208	5	0	0	0	0	0	0	0	0	0	0	0	0
EMHS - Armadale Kalamunda Group	0	0	416	0	0	0	0	0	0	0	0	0	0	0	0	0
EMHS - Bentley Health Service	0	0	297	0	0	0	0	0	0	0	0	0	0	0	0	0
EMHS - Corporate Office	0	0	6	0	0	0	1	0	1	0	0	0	0	0	0	0
EMHS - Royal Perth Hospital	0	0	62	0	0	0	0	0	1	0	0	0	0	0	0	0

AGENCY	EXEMPTION CLAUSE (Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Health, Department of	2	2	26	1	0	2	2	4	0	0	0	0	2	0	1	0
Health and Disability Services Complaints Office	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0
NMHS - Corporate Office	0	0	5	0	0	0	3	0	3	0	0	2	0	0	0	0
NMHS - Mental Health	0	0	142	0	0	1	0	0	3	0	0	0	0	0	0	0
NMHS - Osborne Park Hospital	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NMHS - Women and Newborn Health Service	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0
WACHS - Central Office	0	0	4	0	0	0	0	1	0	0	0	0	0	0	0	0
WACHS - Goldfields	0	0	276	0	0	0	0	0	0	0	0	0	0	0	0	0
WACHS - Great Southern	0	0	7	0	0	1	0	0	1	0	0	0	0	0	0	0
WACHS - Midwest	0	0	306	0	0	0	0	0	0	0	0	0	0	0	0	0
WACHS - South West	0	0	245	0	0	0	0	0	0	0	0	0	0	0	0	0
<i>Sub-total: Health-related agencies</i>	<i>2</i>	<i>2</i>	<i>2,001</i>	<i>6</i>	<i>0</i>	<i>4</i>	<i>6</i>	<i>5</i>	<i>12</i>	<i>0</i>	<i>0</i>	<i>3</i>	<i>2</i>	<i>0</i>	<i>1</i>	<i>0</i>
Group: Local Governments																
Albany, City of	0	0	22	22	0	0	0	0	0	0	0	0	0	0	0	0
Armadale, City of	0	0	30	1	0	0	1	3	0	0	0	0	0	0	0	0
Augusta-Margaret River, Shire of	0	0	13	0	0	1	0	1	0	0	0	0	0	0	0	0
Bassendean, Town of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Bayswater, City of	0	0	12	0	0	0	0	1	0	0	0	0	0	0	0	0
Belmont, City of	0	0	20	1	0	1	0	1	1	0	0	0	0	0	0	0
Broome, Shire of	0	0	3	3	0	0	1	0	1	0	0	0	0	0	0	0
Bunbury, City of	0	0	2	0	0	1	0	0	0	0	0	0	0	0	0	0
Busselton, City of	0	0	4	0	0	0	0	0	1	0	0	0	0	0	0	0
Cambridge, Town of	0	0	13	1	0	3	0	2	1	0	0	0	0	0	0	0
Canning, City of	0	0	7	0	0	1	1	0	1	0	0	0	0	0	0	0
Capel, Shire of	0	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0
Chittering, Shire of	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Claremont, Town of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
City of Cockburn	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0

AGENCY	EXEMPTION CLAUSE (Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Denmark, Shire of	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Donnybrook-Balingup, Shire of	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0
East Pilbara, Shire of	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Esperance, Shire of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Fremantle, City of	0	0	13	2	0	0	0	0	0	0	1	0	0	0	0	0
Joondalup, City of	0	0	70	2	0	3	1	0	1	0	0	0	0	0	0	0
Kalamunda, City of	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0
Kalgoorlie-Boulder, City of	0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0
Karratha, City of	0	0	5	1	0	0	0	0	0	0	0	0	0	0	0	0
Kwinana, City of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Mandurah, City of	0	0	6	2	0	0	0	0	1	0	0	0	0	0	0	0
Manjimup, Shire of	0	0	3	2	0	1	0	0	1	0	0	0	0	0	0	0
Melville, City of	0	0	33	2	0	2	0	2	0	0	0	0	0	0	0	0
Mundaring, Shire of	0	0	7	1	0	0	0	0	0	0	0	0	0	0	0	0
Nedlands, City of	0	0	9	1	0	1	0	1	1	0	0	0	0	0	0	0
Northam, Shire of	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
Perth, City of	0	0	8	1	0	0	0	1	1	0	0	0	0	0	0	0
Plantagenet, Shire of	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Ravensthorpe, Shire of	0	0	1	1	0	0	0	0	1	0	0	1	0	0	0	0
Rockingham, City of	0	0	21	2	0	1	0	2	0	0	0	0	0	0	0	0
Serpentine-Jarrahdale, Shire of	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0
South Perth, City of	0	0	6	1	0	0	0	0	0	0	0	0	0	0	0	0
Stirling, City of	0	0	59	1	0	2	0	4	0	0	0	0	0	0	0	0
Subiaco, City of	0	0	6	0	0	0	0	1	0	0	1	0	0	0	0	0
Swan, City of	0	0	38	19	0	3	0	2	0	0	0	0	0	0	0	0
Toodyay, Shire of	0	0	3	0	0	0	1	0	3	0	0	0	0	0	0	0
Victoria Park, Town of	0	0	7	1	0	0	0	1	0	0	0	0	0	0	0	0
Vincent, City of	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0

AGENCY	EXEMPTION CLAUSE (Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Wanneroo, City of	0	0	35	0	0	0	0	0	0	0	0	0	0	0	0	0
Waroona, Shire of	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
York, Shire of	0	0	4	1	0	0	0	0	0	0	0	0	0	0	0	0
<i>Sub-total: Local Governments</i>	<i>0</i>	<i>0</i>	<i>502</i>	<i>69</i>	<i>0</i>	<i>23</i>	<i>5</i>	<i>22</i>	<i>17</i>	<i>0</i>	<i>2</i>	<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
Group: Ministers																
Carey MLA, Hon J N	0	0	1	0	0	1	0	1	0	0	0	0	0	0	0	0
Cook MLA, Hon R H	0	0	3	1	0	0	0	2	1	0	0	0	1	0	0	0
Dawson MLC, Hon S N	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ellery MLC, Hon S M	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0
Johnston MLA, Hon W J	2	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0
Kelly MLA, Hon D J	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Logan, Hon F M	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
MacTiernan MLC, Hon A	2	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0
McGurk MLA, Hon S F	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Papalia MLA, Hon P	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Quigley MLA, Hon J R	0	0	1	0	0	0	0	2	0	0	0	0	0	0	0	0
Saffioti MLA, Hon R	2	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0
Sanderson MLA, Hon A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Templeman MLA, Hon D A	0	0	1	0	0	0	0	1	0	0	0	0	1	0	0	0
Wyatt, Hon B S	0	0	2	0	0	0	0	0	1	0	0	0	0	0	0	0
<i>Sub-total: Ministers</i>	<i>7</i>	<i>0</i>	<i>12</i>	<i>3</i>	<i>0</i>	<i>1</i>	<i>0</i>	<i>6</i>	<i>2</i>	<i>0</i>	<i>3</i>	<i>0</i>	<i>3</i>	<i>0</i>	<i>0</i>	<i>0</i>
Group: Police																
Police Force, Western Australia	6	0	612	0	0	90	5	6	1	0	0	2	0	0	1	0
<i>Sub-total: Police</i>	<i>6</i>	<i>0</i>	<i>612</i>	<i>0</i>	<i>0</i>	<i>90</i>	<i>5</i>	<i>6</i>	<i>1</i>	<i>0</i>	<i>0</i>	<i>2</i>	<i>0</i>	<i>0</i>	<i>1</i>	<i>0</i>
Group: Universities																
Curtin University	0	0	7	0	0	0	0	1	2	0	0	0	0	0	0	0
Edith Cowan University	0	0	7	0	0	0	1	0	1	0	0	0	0	0	0	0
Murdoch University	0	0	6	0	0	0	1	0	2	0	1	0	0	0	0	0

AGENCY	EXEMPTION CLAUSE (Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
University of Western Australia, The	0	0	6	1	0	0	1	1	1	0	1	1	0	0	0	0
<i>Sub-total: Universities</i>	<i>0</i>	<i>0</i>	<i>26</i>	<i>1</i>	<i>0</i>	<i>0</i>	<i>3</i>	<i>2</i>	<i>6</i>	<i>0</i>	<i>2</i>	<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
TOTAL	50	7	5,144	323	0	289	123	125	100	0	24	153	22	1	198	1

SUMMARY	EXEMPTION CLAUSE (Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Boards, Committees, Commissions, Authorities, Corporations	1	0	257	18	0	7	47	27	15	0	6	2	3	0	0	1
Departments (except Police and Health-related agencies)	34	5	1734	226	0	164	57	57	47	0	11	144	14	1	196	0
Health-related agencies	2	2	2001	6	0	4	6	5	12	0	0	3	2	0	1	0
Local Governments	0	0	502	69	0	23	5	22	17	0	2	1	0	0	0	0
Ministers	7	0	12	3	0	1	0	6	2	0	3	0	3	0	0	0
Police	6	0	612	0	0	90	5	6	1	0	0	2	0	0	1	0
Universities	0	0	26	1	0	0	3	2	6	0	2	1	0	0	0	0
TOTAL	50	7	5,144	323	0	289	123	125	100	0	24	153	22	1	198	1

Note:

Agencies that did not cite exemptions are omitted.

Table 16: Outcome of applications for internal review

This table reports the outcome of internal review applications made to agencies by parties (access applicants or third parties).

Parties can seek review if they are aggrieved by the agency's decision, firstly by making an application for internal review to the agency that made the decision. Internal review is not available on a decision made by a Minister or the principal officer of an agency.

Further information about review rights is available in our publication [Review of agency decisions](#).

AGENCY	Requests Received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Group: Boards, Committees, Commissions, Authorities, Corporations					
DevelopmentWA	3	3	0	0	0
Institute of Sport, Western Australian	1	1	0	0	0
Insurance Commission of Western Australia	2	0	2	0	0
Landgate	1	1	0	0	0
Legal Aid Commission of Western Australia	3	3	0	0	0
Legal Practice Board of WA, The	1	0	1	0	0
Lotteries Commission	1	1	0	0	0
Metropolitan Cemeteries Board	5	5	0	0	0
National Trust of Australia (WA)	0	1	0	0	0
Public Advocate, Office of the	3	2	1	0	0
Public Transport Authority	3	3	0	0	0
School Curriculum and Standards Authority	1	0	1	0	0
Southern Ports Authority	0	2	0	0	0
State Administrative Tribunal	1	1	0	0	0
Trotting Association, Western Australian	1	1	0	0	0
Western Power	1	1	0	0	0
WorkCover Western Australia Authority (WorkCover WA)	2	2	0	0	0
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<i>29</i>	<i>27</i>	<i>5</i>	<i>0</i>	<i>0</i>

AGENCY	Requests Received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Group: Departments (except Police and Health-related agencies)					
Biodiversity, Conservation and Attractions, Department of	2	1	1	0	0
Communities, Department of	17	9	8	0	0
Education, Department of	8	4	3	0	0
Fire and Emergency Services, Department of	5	1	3	0	0
Jobs, Tourism, Science and Innovation, Department of	7	3	3	1	0
Justice, Department of	13	7	3	0	1
Local Government, Sport and Cultural Industries, Department of	6	3	1	2	0
Main Roads Western Australia	6	1	4	1	0
Mines, Industry Regulation and Safety, Department of	19	9	6	2	0
Planning, Lands and Heritage, Department of	9	7	2	0	0
Premier and Cabinet, Department of the	7	7	0	0	0
Training and Workforce Development, Department of	1	1	0	0	0
Water and Environmental Regulation, Department of	2	1	1	0	0
<i>Sub-total: Departments (except Police and Health-related agencies)</i>	<i>102</i>	<i>54</i>	<i>35</i>	<i>6</i>	<i>1</i>
Group: Health-related agencies					
Child and Adolescent Health Service (CAHS)	4	1	1	0	0
EMHS - Armadale Kalamunda Group	2	1	1	0	0
EMHS - Bentley Health Service	1	1	0	0	0
EMHS - Corporate Office	3	1	2	0	0
EMHS - Royal Perth Hospital	4	4	0	0	0
Health, Department of	8	6	2	0	0
NMHS - Corporate Office	2	2	0	0	0
NMHS - Mental Health	4	2	1	0	0
NMHS - Osborne Park Hospital	1	1	0	0	0
SMHS - Rockingham Peel Group	1	0	0	0	0
WACHS - Great Southern	1	1	0	0	0
<i>Sub-total: Health-related agencies</i>	<i>31</i>	<i>20</i>	<i>7</i>	<i>0</i>	<i>0</i>

AGENCY	Requests Received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Group: Local Governments					
Albany, City of	3	3	0	0	0
Armadale, City of	1	1	0	0	0
Bayswater, City of	1	1	0	0	0
Belmont, City of	4	4	0	0	0
Boyup Brook, Shire of	0	2	0	0	0
Bridgetown-Greenbushes, Shire of	0	1	0	0	0
Broome, Shire of	2	1	1	0	0
Busselton, City of	1	0	1	0	0
Cambridge, Town of	3	2	1	0	0
Capel, Shire of	0	11	0	0	0
Chittering, Shire of	1	1	0	0	0
Cottesloe, Town of	2	2	0	0	0
Dardanup, Shire of	1	1	0	0	0
Esperance, Shire of	1	1	0	0	0
Gnowangerup, Shire of	1	1	0	0	0
Gosnells, City of	1	1	0	0	0
Joondalup, City of	5	4	1	0	0
Karratha, City of	1	1	0	0	0
Lake Grace, Shire of	1	0	1	0	0
Mandurah, City of	1	1	0	0	0
Melville, City of	11	10	1	0	0
Mosman Park, Town of	1	0	1	0	0
Nedlands, City of	1	1	0	0	0
Perth, City of	2	2	0	0	0
Port Hedland, Town of	0	11	0	0	0
Rockingham, City of	1	0	0	1	0
South Perth, City of	2	1	1	0	0

AGENCY	Requests Received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Stirling, City of	2	0	2	0	0
Subiaco, City of	1	1	0	0	0
Swan, City of	1	1	0	0	0
Victoria Park, Town of	1	0	1	0	0
Wyndham-East Kimberley, Shire of	1	0	1	0	0
Yalgoo, Shire of	0	1	0	0	0
York, Shire of	3	3	0	0	0
<i>Sub-total: Local Governments</i>	<i>57</i>	<i>70</i>	<i>12</i>	<i>1</i>	<i>0</i>
Group: Police					
Police Force, Western Australia	71	46	15	5	5
<i>Sub-total: Police</i>	<i>71</i>	<i>46</i>	<i>15</i>	<i>5</i>	<i>5</i>
Group: Universities					
Curtin University	5	2	3	0	0
Edith Cowan University	5	1	2	0	0
University of Western Australia, The	2	1	1	0	0
<i>Sub-total: Universities</i>	<i>12</i>	<i>4</i>	<i>6</i>	<i>0</i>	<i>0</i>
TOTAL	302	221	80	12	6

Table 17: Applications for amendment of personal information

This table reports the number of valid applications for amendment of personal information made to agencies, and the outcome of those applications.

More information about amendment of personal information is available in our publication [Amendment of personal information](#).

AGENCY	Applications received	OUTCOMES			
		Amended	Not Amended	Amended (not as requested)	Withdrawn
Child and Adolescent Health Service (CAHS)	5	0	4	1	0
Communities, Department of	1	0	1	1	0
Education, Department of	1	0	1	0	0
EMHS - Armadale Kalamunda Group	6	3	2	1	0
EMHS - Bentley Health Service	2	0	2	0	0
EMHS - Corporate Office	2	0	2	0	0
EMHS - Royal Perth Hospital	1	0	1	0	0
Justice, Department of	1	0	0	0	1
Melville, City of	1	1	0	0	0
National Trust of Australia (WA)	1	0	0	0	0
NMHS - Mental Health	4	0	0	4	0
NMHS - Sir Charles Gairdner Hospital	1	0	1	0	0
Police Force, Western Australia	7	1	6	0	0
SMHS - Rockingham Peel Group	3	2	1	0	0
WACHS - Goldfields	1	0	1	0	0
WACHS - South West	2	0	0	0	0
TOTAL	39	7	22	7	1

Table 18: Applications for internal review of decisions regarding amendment of personal information

This table reports the number of requests for internal review of decisions made by agencies in relation to applications for amendment of personal information, and the outcomes of those internal review decisions.

AGENCY	Requests Received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Child and Adolescent Health Service (CAHS)	1	0	0	0	0
Communities, Department of	1	1	0	0	0
Curtin University	1	1	0	0	0
Education, Department of	1	1	0	0	0
EMHS - Armadale Kalamunda Group	1	1	0	0	0
EMHS - Corporate Office	1	1	0	0	0
Ravensthorpe, Shire of	1	1	0	0	0
SMHS - Rockingham Peel Group	1	1	0	0	0
TOTAL	8	7	0	0	0

Table 19: Fees paid and charges collected for access applications

This table reports fees paid for non-personal access applications and the charges imposed by agencies for dealing with those access applications.

No fees or charges apply for applications that are limited to personal information about the applicant only. However, if the applicant is seeking more than their own personal information (a non-personal application), an application fee of \$30 is required to make a valid access application under the FOI Act. An agency may choose to impose charges – in accordance with the FOI Act and FOI regulations – for dealing with a non-personal access application. The decision to impose charges for dealing with a non-personal access application is at the discretion of the agency.

AGENCY	Fees collected (\$)	Charges collected (\$)	AGENCY	Fees collected (\$)	Charges collected (\$)
Group: Boards, Committees, Commissions, Authorities, Corporations			Pilbara Ports Authority	120	0
Acacia Prison	30	0	Public Advocate, Office of the	0	0
Central Regional TAFE	60	0	Public Sector Commission	240	0
DevelopmentWA	270	0	Public Transport Authority	750	0
Forest Products Commission	30	0	Racing and Wagering Western Australia	420	0
Fremantle Port Authority	30	0	School Curriculum and Standards Authority	120	0
Government Employees Superannuation Board	30	0	Small Business Development Corporation	30	0
Horizon Power	60	0	South West Development Commission	30	0
Institute of Sport, Western Australian	35	35	Southern Ports Authority	30	30
Insurance Commission of Western Australia	3240	0	Sports Centre Trust (VenuesWest), Western Australian	60	0
Landgate	330	0	Treasury Corporation, Western Australian	30	0
Legal Aid Commission of Western Australia	90	0	Water Corporation	1890	0
Legal Practice Board of WA, The	60	0	Western Power	1,650	405
Legal Profession Complaints Committee	120	0	WorkCover Western Australia Authority (WorkCover WA)	2,520	503
Lotteries Commission	150	0	<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<i>12,665</i>	<i>1,263</i>
Metropolitan Cemeteries Board	120	0	Group: Departments (except Police and Health-related agencies)		
National Trust of Australia (WA)	30	180	Biodiversity, Conservation and Attractions, Department of	930	0
North Metropolitan TAFE	60	80			
Pilbara Development Commission	30	30			

AGENCY	Fees collected (\$)	Charges collected (\$)	AGENCY	Fees collected (\$)	Charges collected (\$)
Communities, Department of	4,020	888	NMHS - Corporate Office	120	120
Education, Department of	1410	0	NMHS - Mental Health	450	0
Finance, Department of	600	0	NMHS - Sir Charles Gairdner Hospital	5520	30
Fire and Emergency Services, Department of	5,880	1,193	NMHS - Women and Newborn Health Service	360	0
Jobs, Tourism, Science and Innovation, Department of	720	0	SMHS - Fiona Stanley Fremantle Hospital Group	8,850	8850
Justice, Department of	1,410	0	SMHS - Rockingham Peel Group	1,620	1702
Local Government, Sport and Cultural Industries, Department of	990	0	WACHS - Central Office	90	450
Main Roads Western Australia	1,770	0	WACHS - Goldfields	120	0
Mines, Industry Regulation and Safety, Department of	23,100	720	WACHS - Great Southern	240	0
Planning, Lands and Heritage, Department of	4620	0	WACHS - Kimberley	3215	0
Premier and Cabinet, Department of the	1,380	0	WACHS - Midwest	150	0
Primary Industries and Regional Development, Department of	1080	0	WACHS - Pilbara	496	0
Registrar, WA Industrial Relations Commission, Department of the	30	30	WACHS - South West	2,520	1,350
Training and Workforce Development, Department of	270	0	<i>Sub-total: Health-related agencies</i>	<i>40,101</i>	<i>14,302</i>
Transport, Department of	5910	0	Group: Local Governments		
Treasury, Department of	120	0	Albany, City of	660	0
Water and Environmental Regulation, Department of	4230	0	Armadale, City of	1080	0
<i>Sub-total: Departments (except Police and Health-related agencies)</i>	<i>58,470</i>	<i>2,831</i>	Augusta-Margaret River, Shire of	420	180
Group: Health-related agencies			Bassendean, Town of	180	192
Child and Adolescent Health Service (CAHS)	600	150	Bayswater, City of	510	510
EMHS - Armadale Kalamunda Group	2100	0	Belmont, City of	600	825
EMHS - Bentley Health Service	1560	1560	Boyup Brook, Shire of	115	115
EMHS - Corporate Office	210	0	Bridgetown-Greenbushes, Shire of	30	30
EMHS - Royal Perth Hospital	10050	0	Broome, Shire of	300	60
Health, Department of	1,830	90	Bunbury, City of	210	0
			Busselton, City of	390	1199
			Cambridge, Town of	330	0

AGENCY	Fees collected (\$)	Charges collected (\$)	AGENCY	Fees collected (\$)	Charges collected (\$)
Canning, City of	450	115	Kalamunda, City of	720	735
Capel, Shire of	300	93	Kalgoorlie-Boulder, City of	330	0
Carnarvon, Shire of	120	0	Karratha, City of	180	2152
Chapman Valley, Shire of	60	60	Kwinana, City of	180	0
Chittering, Shire of	150	30	Lake Grace, Shire of	30	0
Claremont, Town of	30	0	Mandurah, City of	210	0
Cockburn, City of	870	555	Manjimup, Shire of	143	0
Collie, Shire of	30	20	Melville, City of	1620	0
Cottesloe, Town of	270	150	Mosman Park, Town of	390	0
Cue, Shire of	30	0	Mundaring, Shire of	270	0
Dalwallinu, Shire of	30	0	Murray, Shire of	210	0
Dandaragan, Shire of	70	0	Narrogin, Shire of	30	25
Dardanup, Shire of	60	126	Nedlands, City of	390	0
Denmark, Shire of	120	502	Northam, Shire of	120	0
Derby-West Kimberley, Shire of	90	0	Peppermint Grove, Shire of	60	0
Donnybrook-Balingup, Shire of	90	285	Perth, City of	1110	1305
East Fremantle, Town of	90	0	Plantagenet, Shire of	90	0
East Pilbara, Shire of	30	0	Port Hedland, Town of	330	330
Esperance, Shire of	60	16	Ravensthorpe, Shire of	30	0
Exmouth, Shire of	30	30	Rockingham, City of	960	3168
Fremantle, City of	420	0	Serpentine-Jarrahdale, Shire of	420	180
Gingin, Shire of	1470	1590	South Perth, City of	210	8
Gosnells, City of	1110	0	Stirling, City of	1650	420
Greater Geraldton, City of	330	593	Subiaco, City of	360	450
Halls Creek, Shire of	90	0	Swan, City of	1830	1080
Harvey, Shire of	210	0	Toodyay, Shire of	330	0
Joondalup, City of	2550	206	Victoria Park, Town of	210	0

AGENCY	Fees collected (\$)	Charges collected (\$)	AGENCY	Fees collected (\$)	Charges collected (\$)
Vincent, City of	90	0	Police Force, Western Australia	46,110	0
Wanneroo, City of	1260	0	<i>Sub-total: Police</i>	<i>46,110</i>	<i>0</i>
Waroona, Shire of	60	0	Group: Universities		
Wyndham-East Kimberley, Shire of	150	1569	Curtin University	360	305
Yalgoo, Shire of	30	0	Edith Cowan University	60	0
Yilgarn, Shire of	30	0	Murdoch University	210	0
York, Shire of	120	488	University of Western Australia, The	270	0
<i>Sub-total: Local Governments</i>	<i>28,138</i>	<i>19,392</i>	<i>Sub-total: Universities</i>	<i>900</i>	<i>305</i>
Group: Ministers			TOTAL	\$187,884	\$38,093
Buti, Hon Dr T A	60	0			
Carey MLA, Hon J N	60	0			
Cook MLA, Hon R H	240	0			
Dawson MLC, Hon S N	60	0			
Ellery MLC, Hon S M	60	0			
Johnston MLA, Hon W J	150	0			
Kelly MLA, Hon D	30	0			
Logan, Hon F M	60	0			
MacTiernan MLC, Hon A	60	0			
McGurk MLA, Hon S F	30	0			
Papalia MLA, Hon P	30	0			
Quigley MLA, Hon J R	210	0			
Saffioti MLA, Hon R	240	0			
Sanderson MLA, Hon A	90	0			
Templeman MLA, Hon D A	60	0			
Wyatt, Hon B S	60	0			
<i>Sub-total: Ministers</i>	<i>1,500</i>	<i>0</i>			
Group: Police					

Table 20: Charges reduced by agencies

Agencies are not required to impose charges. However, if the agency decides to impose a charge, under regulation 3 of the FOI Regulations, agencies are required to reduce the charges imposed by 25% if the applicant is impecunious or the holder of certain types of concession cards. The agency may decide to reduce the charges by more than 25% or to waive the charges.

AGENCY	\$ charges reduced	Reason for reduction in charges		
		Impecunious	Pensioner	Other
Busselton, City of	429	0	0	4
Canning, City of	30	0	0	1
Capel, Shire of	31	0	1	0
Child and Adolescent Health Service (CAHS)	60	0	0	2
Chittering, Shire of	400	0	0	2
Communities, Department of	435	0	0	1
Cottesloe, Town of	1335	0	0	9
Cue, Shire of	98	1	0	0
Dardanup, Shire of	31	0	1	0
EMHS - Corporate Office	30	0	0	1
Fire and Emergency Services, Department of	15996	0	0	130
Fremantle, City of	416	0	0	14
Gingin, Shire of	30	0	0	1
Harvey, Shire of	8	0	0	1
Manjimup, Shire of	8	0	1	0
NMHS - Corporate Office	60	1	1	0
Northam, Shire of	30	0	0	1
Port Hedland, Town of	30	1	0	30
Public Advocate, Office of the	60	0	0	2
Rockingham, City of	166	1	5	0
Swan, City of	37	0	0	0

AGENCY	\$ charges reduced	Reason for reduction in charges		
		Impecunious	Pensioner	Other
Training and Workforce Development, Department of	30	0	0	1
WACHS - Goldfields	270	9	0	0
WACHS - South West	1350	0	0	0
York, Shire of	9	0	9	0
TOTAL	\$21,379	13	18	200