



Office of the Information Commissioner

Freedom of information for Western Australia



ANNUAL REPORT 2022/23

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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 published on the OIC website and are available in other formats on request.



Office of the
Information Commissioner

Freedom of information for Western Australia

11 October 2023

**SPEAKER OF THE LEGISLATIVE ASSEMBLY
PRESIDENT OF THE LEGISLATIVE COUNCIL**

ANNUAL REPORT TO 30 JUNE 2023

In accordance with section 63 of the *Financial Management Act 2006* I hereby submit my report for the reporting period ended 30 June 2023.

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* (WA).

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

Catherine Fletcher
INFORMATION COMMISSIONER

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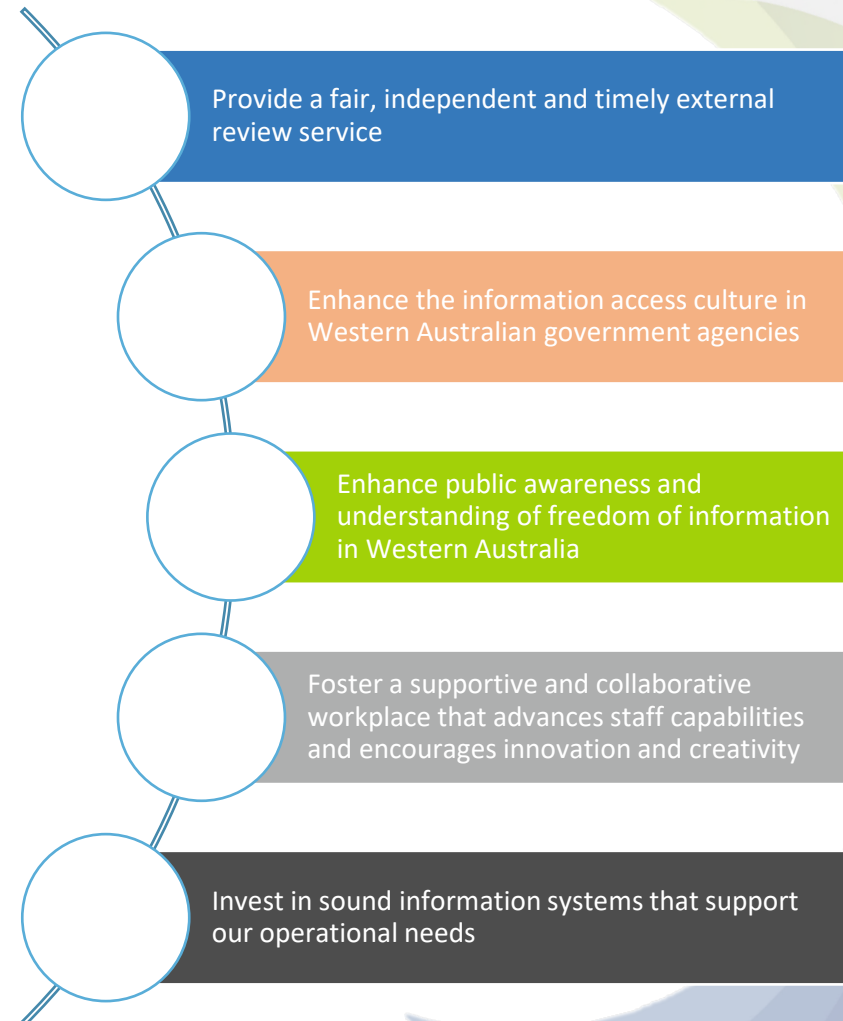
About this report

Welcome to the annual report of the Office of the Information Commissioner (**the OIC**) for 2022/23.

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. We also educate agencies on their responsibilities under freedom of information (**FOI**) legislation and provide assistance to the community 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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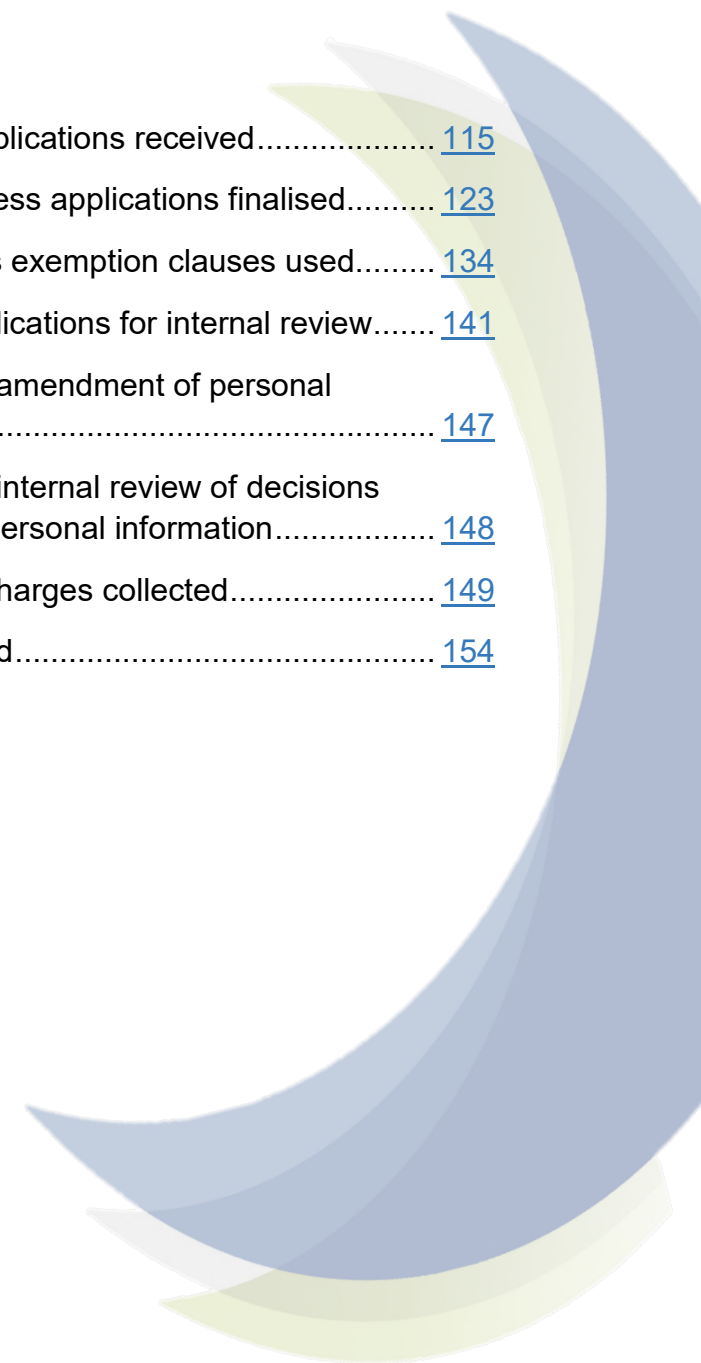
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Overview

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).

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 be achieved.

The Commissioner is an ex-officio member of the State Records Commission.

Executive Summary

Information Commissioner's Report



I am pleased to present the 30th annual report of my office and my fifth report as Commissioner.

Under the **FOI Act**, this report must deal with both the operation of the FOI Act and the operations of my office.

The Parliament, by enacting the FOI Act over 30 years ago, enshrined in law

a right to access the documents of State and local government agencies, which includes Ministers, subject to limited exceptions, as well as a right to apply to amend personal information in government documents in certain circumstances. Significantly, the objects of the FOI Act are to provide greater public sector accountability and to enable the public to more effectively participate in government.

Freedom of information laws, when they operate effectively, build public trust. Public trust is a fundamental requirement for effective democratic government.

Enhanced disclosure of government information promotes discussion and a better understanding of government decision-making. It also deters corruption, can counter misinformation and disinformation and can significantly improve government transparency and public trust.

During 2023, the FOI Act and my office celebrate 30 years of operation. This milestone anniversary is an important

opportunity to reflect upon the state of information access in the WA public sector, as well as how the FOI Act and my office are serving the Parliament and the community.

In a positive development, I am pleased to see that, in December 2022, the State Government committed to introducing State privacy legislation - this is a reform that is long overdue in Western Australia.

FOI in the sector

There is a continuing trend of an increasing number of FOI applications, with 21,241 applications made to agencies this year. This represents almost 24% more applications than a decade ago in 2012/13 when there were 17,175 applications and more than a five-fold increase since the first full year of operation of the FOI Act in the 1994/95 reporting period when there were 3,323 applications.

Applications to health-related agencies continue to dominate with 12,048 applications being made in this reporting period (with generally very high rates of full or partial disclosure provided across those agencies).

It is pleasing to note that 86.6% of the FOI decisions made by agencies in the reporting period resulted in some form of disclosure to the access applicant, up from 85.3% last year.

When access is refused, the exemption that protects personal information (clause 3 of Schedule 1 to the FOI Act) continues to be, by far, the most commonly relied upon exemption. This is a consistent trend since the FOI Act came into operation and is expected to continue in the future. Details of all

exemption claims made by agencies are described in [Table 14](#).

The most recent results of the *National Metrics about Information Access Rights* show some clear trends relating to FOI use in this State. This includes consistently more FOI applications being made in WA on a per capita basis than any other jurisdiction; one of the highest rates of disclosure of information (in full or partial form); and consistently the lowest rate of external review applications.

As I noted last year, in my view, this data suggests that agencies are still directing too many requests for non-contentious information to formal FOI processes instead of utilising more pro-active information release processes.

FOI applications should be a last resort and reserved for particularly sensitive or contentious government-held information. Among other benefits, the pro-active disclosure of non-sensitive government information reduces the FOI compliance burden on agencies and enhances government transparency.

The results from the 2023 *Information Access Study* show that an overwhelming majority of people (88%) view access to government information as very or quite important. Of concern, there is a noticeable decline in WA with success in obtaining access to government information: from 91% of respondents who attempted access in 2019, to 88% in 2021, to 77% in 2023. 78% of respondents in WA indicated that it was important to them to know when government uses technology to assist in decisions that affect the public. These results are important reading for the public sector.

Operations of my office

Over a 10-year period, the number of external review applications made to my office has increased 22.5% between the first and second five year periods. Over the same time, comparing those two periods, the rate of finalisation of external reviews by my office has increased by 5.5%. (see page [26](#))

This imbalance has led to a growing backlog of external reviews which my office is working hard to address. Pleasingly, this year my office received some finite funding to recruit three additional staff to assist with our backlog and funding to make improvements to our ICT infrastructure.

In addition to my main function of providing independent merits review of agency FOI decisions, the FOI Act also requires my office to provide advice and awareness services, to ensure that the public and agencies are aware of rights and obligations under the FOI Act. The services provided include responding to requests for information about FOI processes and rights, providing training and briefings and producing publications. Despite the ongoing limited staffing resources for this service, my office continues to make a significant contribution to FOI awareness and skills in the State.

During the reporting period, my office completed two big projects, being an organisational review and development of a comprehensive Risk Management Framework. This work has helped my office to address risks and to develop an improved organizational structure, which took effect from 1 July 2023.

In addition, the past 12 months have involved extensive planning and preparations for our 30 year celebrations. This includes a sector-wide FOI in WA conference, to be held in November 2023, and a celebratory morning tea held in July 2023, which was attended by FOI practitioners, the Attorney-General and other colleagues across the sector.

Once again, I sincerely thank my staff for their tireless hard work to support me in my role and to promote the principles of government accountability and transparency. We continue to strive to provide a respected and reliable service to the Parliament and the people of Western Australia.



Catherine Fletcher

Information Commissioner

Office of the Information Commissioner (WA)

2022/23 highlights



156

*External reviews
received*



139

*External reviews
finalised*



94

*External reviews
resolved by
conciliation*



164

*External reviews on
hand at the end of the
period*



15

*Published decisions of
the Commissioner*



1,064

*Participants in OIC
briefings, training or
remote education
sessions*



1,038

*Enquiries from the
community answered*



375

*Enquiries from State
and local government
answered*

About the Office of the Information Commissioner

As at 30 June 2023, the Commissioner was supported by 14 staff and two temporary officers in the OIC. Three areas operate to assist the Commissioner in meeting the objectives of the FOI Act:

- The *Resolution of Complaints (External Review)* team provides 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 provides 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; proposes initiatives to enhance efficiency in agency administration when dealing with applications received; and provides briefings and training 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



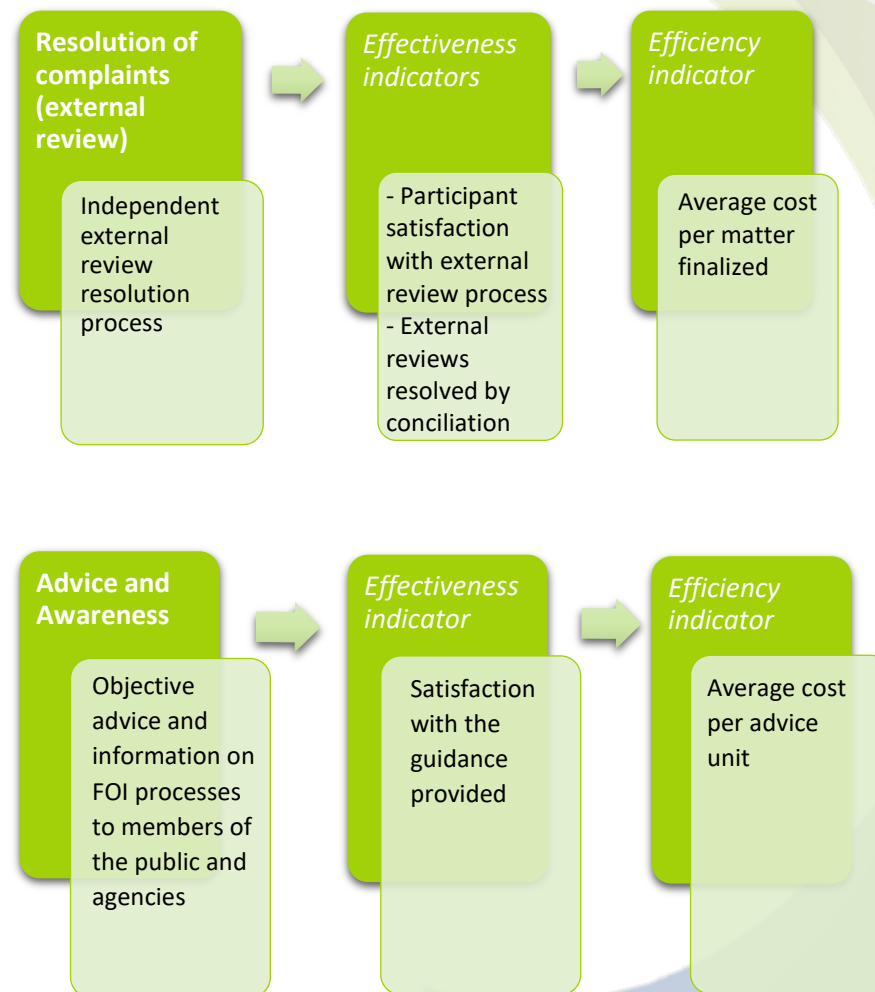
1. Resolution of complaints (external review)
2. Advice and Awareness

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

Safe, strong and fair communities: supporting our local and regional communities to thrive.

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 safe, strong and fair communities.

Outcome-based management framework



The Commissioner is an independent statutory officer who reports to the Parliament. 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 impacting on the 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*
- *Procurement Act 2020*
- *Public Interest Disclosure Act 2003*
- *Public Sector Management Act 1994*
- *Salaries and Allowances Act 1975*
- *State Records Act 2000*
- *Work Health and Safety Act 2020*

Operational Performance

Snapshot of financial and operational performance indicators

	Target \$000	Actual \$000	Variation \$000
Total cost of services	2,425	2,862	437
Net cost of services	2,421	2,784	363
Total equity	681	18	(663)

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

Desired 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%	85%	0%
Applications for external review resolved by conciliation	70%	68%	(2)%
<i>Key efficiency indicator</i>			
Average cost per external review finalised	\$8,472	\$10,085	\$1,613
Advice and Awareness			
<i>Key effectiveness indicator</i>			
Agencies satisfied with advice and guidance provided	98%	98%	0%
<i>Key efficiency indicator</i>			
Average cost of service per application lodged	\$348	\$370	\$22

(1) As specified in the Budget Statements.

External Review

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

Provided a fair, timely and effective formal external review process

- Streamlining the external review process
- Increased monitoring of progress and allocation of matters
- 11 conciliation conferences conducted
- 139 external reviews finalised
- 67.6% of external reviews finalised by conciliation
- 84.5% participant satisfaction rate

Provided an efficient and effective early resolution process

- Informal resolution processes, encouraged across the whole external review team.
- 36.7% of external reviews resolved in less than six months.

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

- 15 decisions published
- 40 preliminary views issued

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 and age of matters currently on hand, is updated monthly and published on our [website](#). [Table 6](#) provides detail on external review outcomes.

Dealing with external reviews

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 resolve an external review by issuing a binding determination.

It remains the focus of the OIC to ensure that the conduct of external review proceedings are not unduly legalistic or formal, preferring instead to negotiate a conciliated outcome between the parties rather than issuing a formal determination.

Conciliation

Conciliation is an important element of the external review process and can result either in resolution of the external review or clarification or narrowing of the issues in dispute. This has the effect of making the external review process more efficient for those matters that require further review.

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

Those options include discussions with the parties by telephone, by email or in person; an officer providing the parties with their assessment of the merits of the matter and inviting either or both parties to reconsider their position; and conciliation formal conferences conducted by the OIC, attended by both parties. These options represent different methods of conciliation utilised by the OIC to facilitate conciliated outcomes and the informal resolution of matters without a formal determination by the Commissioner.

The extent to which the various procedural options are pursued will vary, depending on the particular circumstances of each matter. The nature of the information requested and the various interests of the parties means that conciliation is not always achievable.

As reported in the OIC's 2020/21 annual report (at page 11), during that year it was decided not to convene any formal conciliation conferences. This decision has been reviewed and conciliation conferences recommenced in August 2022. During the current reporting period, 11 conciliation conferences were conducted, with all but one of those matters either resolved at the conference or resolved after the conference as a result of actions agreed by the parties at the conference.

Following this initial high rate of success, the OIC intends to increase the number of conciliation conferences conducted. However, the scheduling of conferences requires significant administrative support, which has been lacking in light of staff movements.

Despite the early success of the Early Intervention Program (**the EIP**) in 2019/20 and 2020/21, this program was reviewed during the year and the decision made to spread the work of the small team working in the EIP through the external review team as a whole. This has encouraged greater use of informal resolution for all external review matters.

This year's conciliation rate was 67.6%, which is marginally less than our yearly target of 70%. Of the 139 external reviews finalised in 2022/23, 94 were finalised by conciliation.

The annual conciliation rate of external reviews finalised is one of the OIC's key performance indicators. Full details of the

OIC's performance indicators are outlined in the [Key Performance Indicators](#) section of this report.

Conciliation case studies

The following case studies are examples of matters that were conciliated during the reporting period.

Agency reconsiders its decision and gives access to documents

The complainant applied for documents that were prepared by consultants for the agency. The agency refused access to the documents under clause 6(1) of Schedule 1 to the FOI Act on the basis that disclosure of the documents would reveal the agency's deliberative processes. The complainant applied to the Commissioner for external review of the decision.

After considering the material before the Commissioner, an officer of the OIC provided the agency with their initial assessment of this matter. It was the officer's initial assessment that the agency had not established that disclosure of the requested documents would, on balance, be contrary to the public interest, as required by clause 6(1)(b).

The agency accepted the officer's initial assessment and gave the complainant access to edited copies of the documents with certain information deleted under clauses 4(2), 6(1) and 8(2) of Schedule 1 to the FOI Act. The complainant advised the OIC that the access they had been given did not resolve the matter.

The Commissioner provided the parties with her preliminary view, which was that the information deleted from the documents was not exempt under clauses 4(2), 6(1) or 8(2). The agency accepted the Commissioner's preliminary view and gave the complainant access to the documents in full. As a result, there was nothing remaining in dispute for the Commissioner to determine and the matter was resolved.

Agency accepts initial assessment and gives complainant edited documents

The complainant applied to the agency for documents relating to investigation reports and allegations of staff misconduct. The agency initially refused access to the requested documents on the basis that they were exempt under clauses 3(1) and 8(2) of Schedule 1 to the FOI Act.

After making preliminary inquiries and considering the material before the Commissioner, an officer of the OIC advised the agency that it was their initial assessment that the requested documents were not exempt in full under clauses 3(1) and 8(2). It was also the officer's view that a number of the documents identified by the agency were not within the scope of the complainant's access application.

The agency accepted the officer's initial assessment and gave the complainant access to edited copies of the documents with personal information about individuals other than the complainant deleted. The complainant was satisfied with the access provided and the matter was resolved.

Complainant accepts initial assessment that further documents could not be found or do not exist

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

Additionally, the complainant sought review of the agency's decision to delete information from a document on the basis that it was outside the scope of the request.

The OIC made inquiries with the agency regarding the searches conducted to locate the requested documents.

After considering the material before the Commissioner, an officer of the OIC advised the complainant that it was their initial assessment that further documents either could not be found or did not exist. It was also the officer's assessment that the information deleted from the document was not within the scope of the complainant's access application.

The complainant accepted the initial assessment and withdrew their application for external review.

Matter resolved by notation to complainant's medical records

The complainant applied for external review of the agency's decision not to amend their personal information in medical records held by the agency.

After reviewing the material before the Commissioner, an officer of the OIC advised the complainant that the agency's decision to not amend their personal

information appeared to be justified. In an effort to conciliate the matter, the officer asked the complainant if they would be satisfied with the agency making a notation or attachment to their medical records.

The complainant advised that the matter would be resolved if the agency made a notation to their medical records. After discussion with the OIC, the agency made a notation and the matter was resolved.

Matter resolved after agency undertakes further searches and locates additional document

The complainant applied for access to certain documents regarding training undertaken by particular officers of the agency. The agency gave the complainant access to edited copies of two documents with information deleted under clause 3(1) of Schedule 1 to the FOI Act.

The complainant applied to the Commissioner for external review of the agency's decision, claiming that further documents should have been identified.

At the request of the OIC, the agency conducted further searches and located an additional document, which it provided to the complainant. After considering the material before the Commissioner, an officer of the OIC advised the complainant that, in her view, the agency had now given them access to all the requested documents.

The complainant advised the OIC that they did not wish to continue the external review and the matter was resolved.

Agency reconsiders its decision and gives access to the requested document

The complainant applied to the agency for access to a particular document regarding a staffing matter.

The agency refused the complainant access to the requested document under section 26 of the FOI Act on the basis that the requested document did not exist. The agency claimed that, in order to meet the terms of the complainant's access application, it would need to create a new document, which is not required by the FOI Act.

During the course of the external review, the agency reconsidered its position and no longer maintained that the requested document needed to be created. Rather, the agency conceded that the requested document did exist as a document of the agency and gave the complainant access to the requested document, excluding certain information previously provided.

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

Complainant accepts initial assessment and discontinues external review

The complainant applied to the agency for access to documents relating to a number of third parties, including their child.

The agency gave the complainant access to edited copies of documents with a small amount of information deleted under clause 8(2) of Schedule 1 to the FOI Act

on the basis that disclosure would reveal confidential communications.

The complainant applied to the Commissioner for external review of the agency's decision.

After considering all of the material before the Commissioner, an officer of the OIC provided the complainant with their initial assessment, which was that the information deleted from the requested documents was personal information that was exempt under clause 3(1) of Schedule 1 to the FOI Act.

The complainant accepted the initial assessment and discontinued their application for external review.

Agreement reached at a conciliation conference

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

The Commissioner required the parties to attend a conciliation conference.

At the conference, the agency agreed to deal with the complainant's access application in revised terms proposed by the complainant. As a result, the external review was resolved.

Matter resolved following provision of further information

The complainant applied to the agency for a copy of correspondence and plans relating to a neighbouring property. The agency refused access to the requested documents under section 23(2) of the FOI Act, claiming that all of the documents were exempt under clause 3(1) of Schedule 1 to the FOI Act and that it was not practicable to give access to an edited copy.

The Commissioner required the parties to attend a conciliation conference.

At the conference, the agency agreed to give the complainant certain information regarding compliance and approval issues that were of most concern to the complainant. Following receipt of that information, the complainant advised the OIC that they no longer wished to proceed with the external review and the matter was resolved.

Matter resolved following negotiation between the parties

The complainant applied for external review of the agency's decision to give access to an edited copy of documents, and to refuse access to other documents.

As a result of discussions with the OIC, the agency reconsidered its position and engaged in negotiations with the complainant to resolve the matter. The agency subsequently gave the complainant access to a document, edited as agreed by the parties.

The complainant confirmed that this resolved the matter.

Access to consultant's report by way of inspection agreed by parties

The complainant applied to the agency for access to a report prepared by a consultant (**the third party**). The agency refused access to the report, claiming it was exempt under clause 6(1) of Schedule 1 to the FOI Act. The Acting Information Commissioner (**the A/Commissioner**) provided the parties with her preliminary view, which was that the report was not exempt under clause 6(1).

Following further discussions with the OIC and the third party, the agency withdrew its exemption claim and agreed to give the complainant access to the report by inspection only. The third party consented to this proposal and the complainant accepted access to the report in this manner.

In light of the agreement reached, there were no issues remaining in dispute and the matter was resolved.

Timeliness of external review

Timeliness of the external review process remains an ongoing challenge, particularly managing significant increases in the number of external reviews received within current resources.

In November 2022 the Standing Committee on Public Administration sought the Commissioner's views in relation to the timeliness of external reviews. The Commissioner's response dated 22 November 2022 (publicly available on Parliament's [website](#)) outlines a number of factors that affect the time it takes to finalise an external review, which remain relevant.

The OIC consistently monitors the age of external reviews on hand. The manner in which external reviews are dealt with is subject to a number of factors that will influence the priority for being assigned and the manner in which the external review proceeds.

Our processes continue to be reviewed regularly to find efficiencies wherever practicable, without compromising the integrity of the external review process. This year we have had a particular focus on addressing our backlog. To that end, we have developed and implemented internal strategies to deal with and reduce our backlog.

Those strategies include:

- increased monitoring of the progress and allocation of matters;
- recruiting more external review staff (subject to budgetary constraints);
- expanding the conciliation conference program by increasing the number of conciliators and holding a greater number of conferences;
- encouraging external review officers to use informal resolution strategies wherever possible including telephone discussions with parties as appropriate and issuing initial assessments (rather than referral of the matter to the Commissioner to issue her formal written preliminary view); and
- streamlining the external review process to avoid unnecessary steps or potential duplication in process, for example, where a party does not accept an officer's initial

assessment of a matter, referral of the matter to the Commissioner to consider finalisation of the matter by formal decision rather than the Commissioner issuing a preliminary view, subject to compliance with procedural fairness obligations.

The following tables outline the percentage of external reviews finalised by age for the last five years and the percentage of external reviews on hand at the end of each reporting period by age for the last five years.

Percentage of External Reviews finalised - by age in time periods

	Less than 6 months	Between 6 and 12 months	Greater than 12 months
2018/19	60.5%	34.2%	5.3%
2019/20	46.6%	34.5%	18.9%
2020/21	35.6%	38.3%	26.1%
2021/22	48.0%	33.8%	18.2%
2022/23	36.7%	26.6%	36.7%

Percentage of External Reviews on hand at end of reporting period - by age in time periods

	Less than 6 months	Between 6 and 12 months	Greater than 12 months
2018/19	68.0%	30.0%	2.0%
2019/20	44.9%	35.6%	19.5%
2020/21	64.0%	23.0%	13.0%
2021/22	54.1%	28.1%	17.8%
2022/23	40.9%	25.0%	34.1%

Decisions made by the Commissioner

Where applications for external review remain unresolved after efforts are made 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 15 applications for external review were finalised by formal published decision of the Commissioner. The decisions are published on our [website](#). The following section outlines particular decisions of the Commissioner during the reporting period that may be of broader interest.

Re ‘D’ and Legal Aid Western Australia [2022]
[WAICmr 10 \(PDF\)](#)

**Correspondence about a meeting with a legal practitioner
- clause 5(1)(e)**

The complainant applied for access to correspondence between a named private legal practitioner and the agency in relation to a particular meeting the complainant had with the legal practitioner.

The agency refused access under clauses 3(1) and 5(1)(e) of Schedule 1 to the FOI Act.

Based on her examination of the disputed document, and taking all of the material before her into account – which included material provided by the agency that supported the agency’s exemption claims – the Commissioner was satisfied that disclosure of the disputed document could reasonably be expected to endanger the life or physical safety of a person and that the disputed document was therefore exempt under clause 5(1)(e).

The complainant claimed that disclosure of the disputed document was in the public interest. The exemption in clause 5(1)(e) is not subject to a public interest test, except in the very limited circumstances in which clause 5(4) applies. As the disputed documents did not contain information of the kind described in clause 5(4)(a), the Commissioner considered it was not open to her to consider whether or not disclosure of the disputed document was in the public interest.

The Commissioner found that the disputed document was exempt under clause 5(1)(e) and confirmed the agency’s decision.

Re Ellis and Department of Justice [2022] [WAICmr 11 \(PDF\)](#)

List of telephone calls made by prisoner - section 26

The complainant applied for access to a list of telephone calls he made while incarcerated at a particular prison within a specified date range. The agency refused access to the requested document under section 26 of the FOI Act on the ground that the document either cannot be found or does not exist.

The Commissioner considers that, in dealing with section 26, the following questions must be answered. First, whether there are reasonable grounds to believe that the requested documents exist or should exist and are, or should be, held by the agency. Where those questions are answered in the affirmative, the next question is whether the agency has taken all reasonable steps to locate those documents.

On the material before her, the Commissioner accepted that there were reasonable grounds to believe the requested document should exist and should be held by the agency. The agency conducted additional searches during the external review process.

After considering the material before her, including the searches conducted by the agency, the Commissioner observed that, although there may be reasonable grounds to believe that the requested document should

exist, it appeared that the requested document did not exist, which may be attributable to inadequate record keeping on the agency's part. The Commissioner drew this apparent deficiency in the agency's record keeping to the agency's attention.

The Commissioner was satisfied that the agency had taken all reasonable steps to locate the requested document.

Accordingly, the Commissioner confirmed the agency's decision to refuse the complainant access to the requested document under section 26 of the FOI Act on the ground that it either cannot be found or does not exist.

Re 'P' and the City of Stirling [2022] [WAICmr 13 \(PDF\)](#)

Correspondence between the agency and named individuals – clause 3(1)

The agency received an access application seeking access to particular correspondence between the agency and the owners of a specific property, or their lawyers (**the disputed documents**). After seeking the views of a number of third parties, including the complainant, the agency decided to give the access applicant access to the disputed documents, mostly in an edited form.

The complainant objected to disclosure of the disputed documents, claiming they were exempt, and applied to the Commissioner for external review of the agency's decision to give access. The access applicant was joined as a party to the matter and provided submissions to the Commissioner.

After considering all of the material before her, the A/Commissioner was of the view that disclosure of the disputed documents would reveal personal information, as defined in the FOI Act, and that it was not possible for any of the disputed documents to be edited in such a way as not to disclose personal information about private individuals. In balancing the competing public interests for and against disclosure, the A/Commissioner concluded that the public interests favouring disclosure of the disputed documents were not sufficient to outweigh the strong public interest in the protection of personal privacy of individuals, including the complainant.

The A/Commissioner set aside the agency's decision and, in substitution, found that the disputed documents are exempt in their entirety under clause 3(1) of Schedule 1 to the FOI Act.

Re Vos and the Western Australian Institute of Sport [2022] [WAICmr 14 \(PDF\)](#)

Board report and meeting minutes – clause 7(1) and section 26

The complainant applied to the agency for access to a particular report (**the Report**) and the minutes of three meetings of the agency's board (**the Board**).

The agency decided to refuse access to the Report, on the basis that it was exempt under clause 7(1) of Schedule 1 to the FOI Act; to give the complainant access to edited copies of the minutes of two Board meetings, claiming the deleted information was exempt under various exemptions including clause 7(1); and to

refuse access to the minutes of the third Board meeting (**the Board Minutes**) under section 26 of the FOI Act.

The complainant sought external review of the agency's decision claiming that the Report was not exempt under clause 7(1); that the information deleted from the minutes of the two Board meetings was not exempt; and that the Board Minutes did exist, citing the agency's constitution, which requires that minutes of all Board meeting should be recorded.

Based on the material before her, the A/Information Commissioner was satisfied that the dominant purpose of the creation of the Report was to give or obtain legal advice. Accordingly, the A/Commissioner found that the Report would be privileged from production in legal proceedings and that it was, therefore, exempt under clause 7(1). The A/Commissioner found that some, but not all, of the information deleted from the minutes of the two Board meetings contained a record of privileged communications between the agency and its legal advisers, which was privileged and, therefore, exempt under clause 7(1).

The A/Commissioner noted that, although there were deficiencies in the agency's record keeping practices in this particular matter, she accepted the agency's advice that it did not create the Board Minutes. Therefore, the A/Commissioner found that the agency's decision to refuse access to the Board Minutes under section 26 was justified on the grounds that the Board Minutes do not exist.

Re Brook and University of Western Australia [2023]
[WAICmr 1 \(PDF\)](#)

Correspondence relating to academic publishing – clause 3(1)

The complainant applied for access to certain emails relating to an article he authored which had been published and subsequently retracted by an academic journal. The emails sought were between the editor of the journal, who was also an officer of the agency, and employees of the publisher of the journal. The agency gave the complainant edited access to 45 documents and refused access to four documents (**the disputed documents**) on the basis that they were exempt under clause 4(3) of Schedule 1 to the FOI Act.

Under section 76(1)(b) of the FOI Act, the Commissioner may decide any matter in relation to an access application that could have been decided by the agency. Based on her examination of the disputed documents and consideration of all the material before her, the Commissioner concluded that the disputed documents are exempt under clause 3(1) of Schedule 1 to the FOI Act.

The Commissioner considered that the disclosure of the personal information of the officer in the disputed documents would not 'merely' reveal prescribed details about the officer and therefore found that the limit on the exemption in clause 3(3) did not apply. The Commissioner was not persuaded that the public interests favouring disclosure of the disputed documents

outweighed the strong public interest in the protection of personal privacy. Therefore, the Commissioner found that the limit on the exemption in clause 3(6) did not apply to the disputed documents.

The Commissioner varied the agency's decision and found that the disputed documents are exempt under clause 3(1).

Re 'M' and Department of Communities [2023]
[WAICmr 2 \(PDF\)](#)

Access application made on behalf of a child – section 98(a)

The complainant sought access to two Child Safety Investigation Review documents relating to the complainant's children (**the disputed documents**). The complainant stated the applications were made on behalf of his children, aged almost 15 years and 17 years, pursuant to section 98(a) of the FOI Act. Section 98(a) relevantly provides that an access application may be made on behalf of a child by the child's guardian or the person who has custody or care and control of the child.

The agency refused to deal with the complainant's access application on the basis the applications were not validly made under section 98(a) because the disputed documents contained sensitive personal information relating to the children; the children were old enough to make their own access applications; and the complainant had refused to allow the agency to contact the children to

test the children's understanding of the applications purportedly made on their behalf.

The Commissioner considered it is well established that the FOI Act provides strong protection for the personal information of individuals and that as children grow older, they have an increasing right to participate in decisions about them and to privacy over their personal information.

The Commissioner also considered that, as the disputed documents contained sensitive personal information about the complainant's children, and the children were old enough to make an application in their own right, it was proper that the agency seek to satisfy itself that the children consented to the complainant making an application on their behalf. The Commissioner noted that the complainant refused to allow the agency to contact his children to make those enquiries.

The Commissioner was not persuaded that the requisite consent from the complainant's children for the complainant to make an access application on their behalf had been established. As a result, the Commissioner was of the view that a valid application under section 98(a) of the FOI Act had not been made and the Commissioner confirmed the agency's decision to refuse to deal with the access applications.

Re Woodside Energy Ltd and Department of Water and Environmental Regulation [2023] [WAICmr 3 \(PDF\)](#)

Air quality management plan for a LNG plant – clause 4(1) and 4(2)

The access applicant applied to the agency for access to documents relating to a specified works approval. As the agency identified documents that contained information about Woodside Energy Ltd (**the complainant**), including a particular report (**the disputed document**), the agency sought the complainant's views, pursuant to section 33 of the FOI Act.

The agency decided to give the access applicant access to the disputed document. The complainant sought external review of the agency's decision, claiming that the disputed document was exempt under both clauses 4(1) and 4(2) of Schedule 1 to the FOI Act.

The A/Commissioner was not satisfied that the disputed document contained information that is a trade secret and therefore did not consider that the requirements of clause 4(1) were made out. The A/Commissioner observed that the complainant had been required to provide the disputed document to the agency, to comply with the requirements of a ministerial statement, and that much of the information in the disputed document is publicly available.

In considering the application of clause 4(2), the A/Commissioner was not persuaded that the information in the disputed document is valuable to the complainant for the purposes of carrying out its commercial activities

or that the expenditure of money or resources alone was sufficient to establish that the information had a commercial value. The A/Commissioner noted that, even if she were persuaded that information in the disputed document did have a commercial value, she did not accept that its disclosure could reasonably be expected to destroy or diminish the commercial value of the information, as required by clause 4(2)(b).

The A/Commissioner found that the disputed document is not exempt under either clauses 4(1) or 4(2) of Schedule 1 to the FOI Act and confirmed the agency's decision.

Re 'T' and Department of Education [2023] [WAICmr 4 \(PDF\)](#)

ATAR assessments – clause 11(1)(a)

The complainant sought access to documents in relation to various assessments, tests and examinations taken by her son for an ATAR subject (**the disputed documents**). The agency refused access to the disputed documents on the basis that they are exempt under clause 11(1)(a) of Schedule 1 to the FOI Act.

The Commissioner was satisfied that the disputed documents were assessments that formed part of a formal process of evaluation of students' knowledge of the relevant unit of study and came within the meaning of 'tests' or 'examinations' as described in clause 11(1)(a).

The Commissioner accepted that schools develop and reuse valid assessment tasks, which involves a significant amount of time. The Commissioner also accepted that releasing assessment tasks to students

would adversely compromise test security in the administration of tests and examinations and impact on the effectiveness of testing and moderation procedures. The Commissioner considered that disclosure of the disputed documents could reasonably be expected to impair the effectiveness of the agency's methods or procedures for the conduct of the tests or examinations and was satisfied that the disputed documents are, on their face, exempt under clause 11(1)(a).

Information is not exempt under clause 11(1) if its disclosure would, on balance, be in the public interest. The Commissioner considered that the complainant sought access to the disputed documents primarily to further a private grievance and that her personal interests did not weigh in favour of disclosure of the disputed documents. The Commissioner accepted that the agency plays a significant role in maintaining a fair and consistent process in the moderation of student marks to assess the educational standards of students and should be accountable for the performance of that role. However, the Commissioner considered that the disclosure of the specific details of individual tests or examinations would likely diminish the agency's ability to maintain the integrity of its methodology.

After weighing the competing factors, the Commissioner did not consider that disclosure of the disputed documents would, on balance, be in the public interest.

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

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 external review application, decide not to deal with it, or 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 a decision on this basis 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. 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.

	External reviews finalised	Section 67(1)(b) outcomes	
		#	%
2018/19	152	11	7.2
2019/20	148	27	18.2
2020/21	180	45	25.0
2021/22	148	16	10.8
2022/23	139	14	10.1

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 decreased over the last two years from the previous two years. This is likely to be due in part to the number of preliminary views issued in the last four reporting periods - 57 in 2019/20, 86 in 2020/21, 48 in 2021/22 and 40 in 2022/23.

External review outcome benefits

When an external review is finalised by the OIC the outcome is currently 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 outlined below.

- 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 case studies of conciliated matters reported in annual reports. However, those summaries do not necessarily describe the full extent of the benefits to a party, particularly the complainant, which are achieved during 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 as a result of the external review process, 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 since 1 July 2019, the OIC case officer was required to identify whether:

- access to additional documents or parts of documents were 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 this data (2019/20) 148 external reviews were finalised. In the second reporting period (2020/21) 180 external reviews were finalised. In the third reporting period (2021/22) 148 external reviews were finalised. In the current reporting period 139 external reviews were finalised. The chart below summarises the outcome benefits of external review applications for the previous three years and the current year.

	2019/20		2020/21		2021/22		2022/23	
	#	%	#	%	#	%	#	%
Additional documents or parts of documents released to the complainant	45	30.4	42	23.3	45	30.4	29	20.9
Additional action taken by the agency	53	35.8	61	33.9	50	33.8	43	30.9
Reduction in scope	8	5.4	15	8.3	10	6.8	5	3.6
No additional benefit	55	37.2	69	38.3	50	33.8	53	38.1

External review activity over the last 10 years

In the last 10 years the OIC has received a total of 1,549 external reviews (average of 154.9 per year) and finalised a total of 1,494 (average of 149.4 per year).

However, by assessing each five year period a clearer picture indicates what has contributed to the current position of the OIC in respect of the number of external reviews on hand and the time that it takes to finalise them.

Period	Rec'd	Avg per year	Finalised	Avg per year
2013/14 – 2017/18	696	139.2	727	145.4
2018/19 – 2022/23	853	170.6	767	153.4
	+157	+31.4	+40	+8
	↑22.5%		↑5.5%	

In summary, although the OIC has increased the number of external reviews finalised by 5.5% over the last five years, there has been a significant corresponding increase of 22.5% in the number of external reviews received.

Other matters dealt with by external review staff

In addition to dealing with external review applications, the Commissioner is required to deal with other kinds of matters under various provisions of the FOI Act. Such matters include:

- applications for a reduction in time or an extension of time under sections 13(4), 13(5) and 13(7) of the FOI Act;
- applications made by agencies under section 35(1) of the FOI Act for approval to waive the requirement for third party consultation;
- applications for external review to be accepted out of time under section 66(4);

- applications for external review to be accepted without internal review under section 66(6); and
- requests for a destruction certificate under section 48(3) of the FOI Act.

These matters are often dealt with by external review staff on behalf of the Commissioner under their delegated authority, pursuant to section 79 of the FOI Act.

In addition, external review staff deal with:

- requests for intervention from applicants or agencies regarding the processing of an access application where a preliminary administrative dispute has arisen;
- requests from agencies for confirmation of whether an external review application has been received from a third party; and
- notifications from agencies under section 15(8) that the agency is dealing with an application where a requested document originated with or was received from the OIC.

Dealing with the above matters is part of the workload of external review staff, which must be managed in conjunction with the core work of dealing with external review applications. The work involved in dealing with those additional matters is not insignificant.

Advice and Awareness

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

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

- Responded to 375 phone and written enquiries from agencies
- Four editions of the OIC FOI Newsletter published
- 337 subscribers to the OIC Newsletter as at 30 June 2023
- Prepared for OIC's November 2023 FOI in WA Conference

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

- Online FOI Fundamentals Series available
- FOI briefings and training provided
- Liaison with the FOI Agency Reference Group

Identified and recommend changes to legislation and administrative practices that will facilitate improved information access practices across the State

- Recommendations published in annual report
- Preparation of proposed terms of reference for review of the FOI Act

Explored opportunities for collaboration to champion the principles of open government

- Continued provision of web resources for agencies about the FOI process
- Participated in Association of Information Access Commissioners events
- Participated in the meeting of the International Conference of Information Commissioners
- Promoted celebrations for 30 years of FOI legislation in WA

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. Training and briefings are provided to State and local governments as part of those activities.

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

Ensured we provided the community with accessible, inclusive and user-friendly information

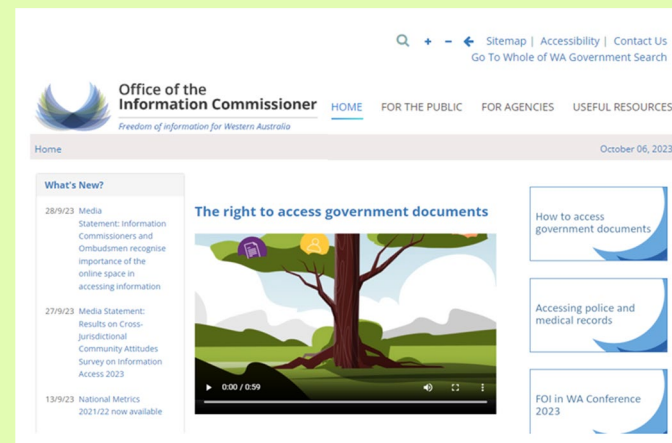
- Responded to 1,035 in person, phone and written enquiries from members of the public.
- Continued to make available plain English publications about FOI processes for the public on the OIC website
- Captions added to website video for enhanced accessibility

Promoted community understanding about the role of the Commissioner

- The Commissioner spoke at events to promote an understanding of her role and of the right to access documents
- Participated in regional visits to raise awareness of FOI and the role of the Commissioner

Increased community awareness of freedom of information rights

- Promoted International Access to Information Day
- Participated in regional visits to raise awareness of FOI



Training, briefings and the Commissioner's engagements

The OIC provides training and briefings for agencies and their staff about processes and obligations under the FOI Act, and to ensure that agencies understand the opportunities to give effect to the objects of the FOI Act beyond formal access procedures.

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

The OIC provides an online course that agency staff can access at any time, at their own pace: the [FOI Fundamentals Series](#). 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.

- 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 that will allow participants to demonstrate their understanding of the concepts covered in each module and receive a certificate of participation have yet to be operationalised. This continues to be a focus for the OIC.

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

FOI Wednesday Webinars

In March 2022, the OIC commenced a program of online FOI Wednesday Webinars for agency FOI practitioners. Presented by OIC officers, the 50 minute seminars provide an opportunity to reflect on various FOI topics relevant to officers working in information access.

The webinars offered in this reporting period covered:

- *Amendment of Personal Information* - about how the right to amendment of personal information works in practice for agencies
- *Open by Design Principles* – discussion about dealing with information access outside of the FOI process
- *Skills for Effective Communication in the FOI Process*
- *What Happens on Internal and External Review?*
- *Third party case studies*

The webinars are recorded and made available for viewing following the delivery of the webinar. Links to recordings of the webinars are available on request to the OIC. The accompanying presentation notes are also made available to agencies on request to the OIC when the links are required.

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.

FOI Newsletter

The OIC published four newsletters during the reporting period in [September 2022](#), [December 2022](#), [March 2023](#) and [May 2023](#).

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.

At the end of the reporting period, the OIC had 337 subscribers to the OIC Newsletter. 48.4% of subscribers to the newsletter identify as being from WA State Government agencies; 22.2% from local government; and 10.1% as members of the public.

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 to understand 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 online *FOI Fundamentals Series* available for agency officers.

The OIC published a new publication – [Open by Design – FOI and Information Release in WA](#) in September 2022. The publication was finalised using feedback provided in response to the publication of a draft document in May 2022, which included an invitation for readers to provide feedback by the end of July 2022. This new publication is designed to assist and encourage agencies to create appropriate Open by Design policies and processes to facilitate effective information release beyond the formal access procedures outlined in the FOI Act.

A full list of OIC web publications is available at [Table 10](#).

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 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 often issues 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 can be 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.

Subscription to receive notifications of newly published decisions of the Commissioner are available at our [website](#).

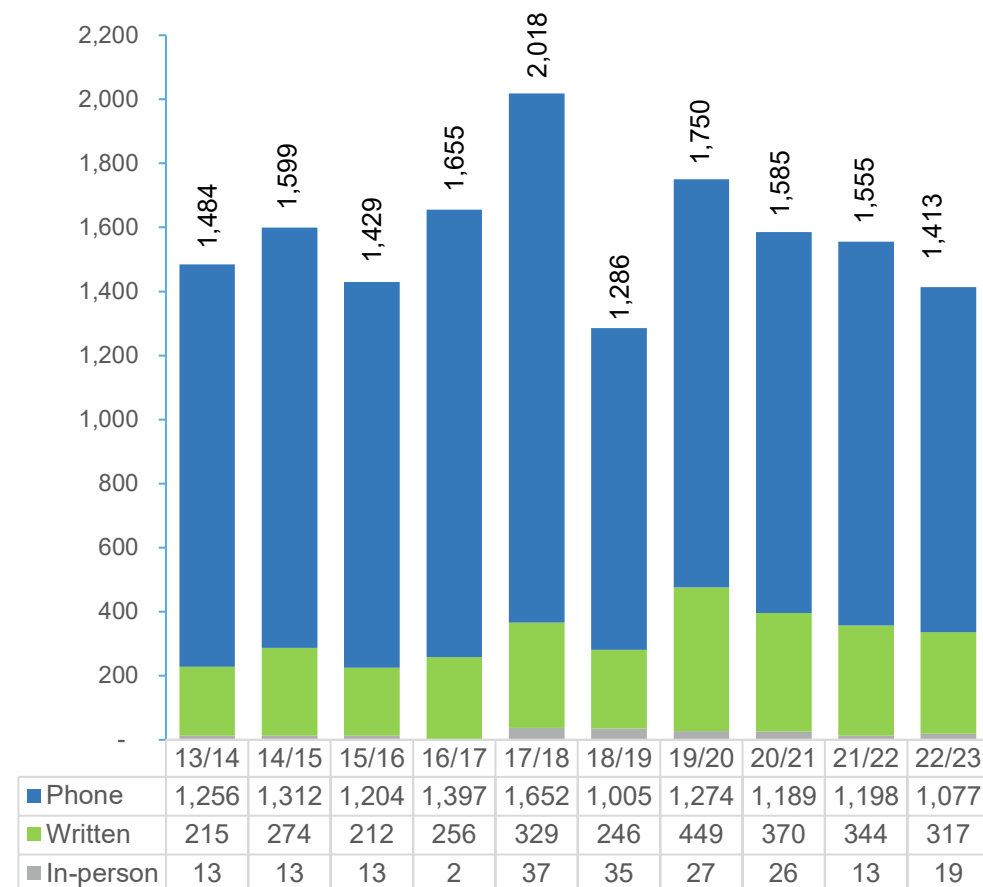
Responding to enquiries

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.

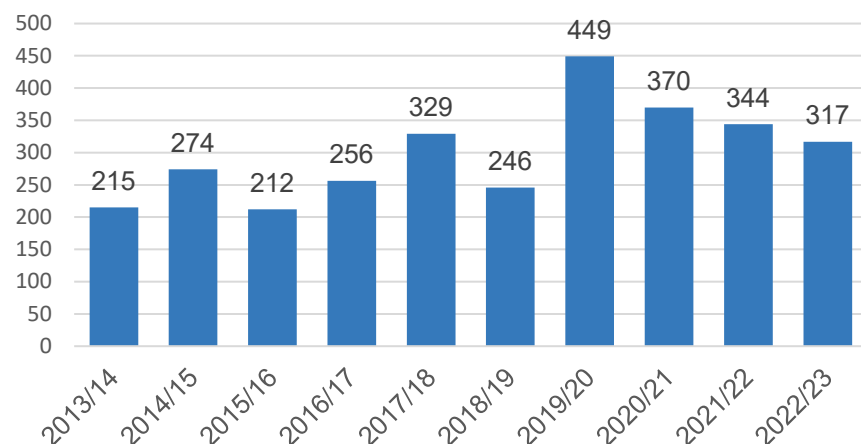
Members of the public sometimes misdirect their requests for documents held by particular agencies to the OIC. For example, each year the OIC receives a number of access applications for medical records. People who misdirect their request are advised that under the FOI Act, access applications should 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 1,413 written, phone and in-person requests for guidance, and misdirected requests. This is a 142 less than the 1,555 requests for advice received last year.

Enquiries received over 10 years



Written guidance provided



Written requests for guidance are received from agencies and members of the public. Written responses assist enquirers to understand processes and obligations under the FOI Act. 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 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 three 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.

International Access to Information Day 28 September

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.

The IAID theme for 2022 was *Open by Design*, highlighting the importance of governments considering how to make information accessible from the start – building information access considerations into policy development, projects and service delivery and seeking opportunities to proactively release information.

The Association of Information Access Commissioners (**the AIAC**) issued a [joint statement of principles](#) to support proactive disclosure of government held information.

The OIC held a Wednesday Webinar on 28 September 2022 titled *Open Government - Open Data in Practice*. The Commissioner was joined by the Manager, Biodiversity

Information Office, Department of Biodiversity, Conservation and Attractions to discuss the progress of open data in WA.

The OIC published its new *Open by Design* publication as part of IAID celebrations.

The OIC also promoted IAID activities hosted by other information access jurisdictions in Australia.

Online FOI access application form

As reported in our 2019/20 annual report, in early 2020 the OIC began working with the Office of Digital Government – and a number of State government agencies that had migrated their agency website to the WA.gov.au site – to develop an online generic FOI access application form.

The online FOI access application form was developed to allow 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.

In January 2023 the online form was modified to direct people seeking to make an application to the relevant agency, but it does not allow an access application to be lodged online from the webpage. The ability to lodge the form using the webpage was ceased following changes in the functionality of the form software. In particular, further assessment of the form and its

functionality is required in order to ensure that appropriate privacy protections for those using online form are maintained. The future of an online FOI access application form will be considered in the next reporting period.

Accessibility of OIC resources

In January 2023, the OIC investigated ways to make its website and video content more accessible. The first initiative was to add captions to the video *The right to access government documents*, which can be found on the OIC's homepage. This video, which explains the fundamentals of access to government information, is now accessible to those with hearing disability, and can be watched without sound. After the success of this project, the OIC is making plans to caption its other videos, including its FOI Fundamentals Series.

Preparations for the FOI in WA Conference

Planning for the OIC's third FOI in WA Conference in late 2023 was a significant part of the OIC's advice and awareness activities for 2022/23.

The theme for the conference is *FOI and open government in the digital age*. The keynote speaker for the conference is the Hon Dr Carmen Lawrence AO. Panellists will include information access commissioners and ombudsmen from across Australia and New Zealand; agency FOI, records and data practitioners; lawyers; and academics.

The OIC created a conference [webpage](#), to be updated throughout the remainder of 2023 as conference details are finalised.

Preparations to celebrate 30 years of FOI

In 2023, the OIC celebrates the 30th anniversary of the appointment of the first Information Commissioner and the commencement of the FOI Act. During the reporting year, the OIC planned a morning tea held in July 2023 to celebrate 30 years of work by FOI practitioners across State and local government, and prepared a [webpage](#) outlining key events and FOI in general.

Regional Awareness and Accessibility Program

Regional visits offer the opportunity to raise public and agency awareness of FOI procedures and processes to improve decision-making and to meet officers of State and local government agencies. Face-to-face meetings give regional officers the opportunity to raise issues and obtain clarification and advice about the requirements of the FOI Act.

As part of the Regional Awareness and Accessibility Program (**the RAAP**) led by the Ombudsman WA, the OIC visited the East Pilbara in October 2022 and West Pilbara in May 2023.

The East Pilbara visit to Newman, Tom Price and Paraburdoo included representatives from the following agencies:

- Ombudsman WA
- Energy and Water Ombudsman
- Commonwealth Ombudsman
- Health and Disability Services Complaints Office
- Equal Opportunity Commission

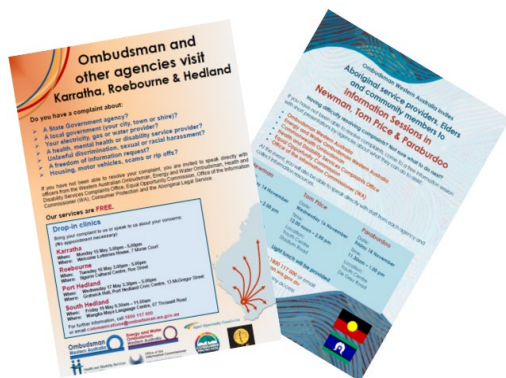
- OIC

The West Pilbara visit to Karratha, Roebourne and Port Hedland included representatives from the following agencies:

- Ombudsman WA
- Energy and Water Ombudsman
- Health and Disability Services Complaints Office
- Equal Opportunity Commission
- Aboriginal Legal Service
- OIC

The program for each visit included drop-in clinics where members of the public could bring their complaints or questions to be resolved; meetings with the Aboriginal community; and visits to, and liaison with, public authorities and community organisations.

The OIC appreciates the opportunity to participate in the RAAP visits when staff resourcing allows. Participation in the RAAP is a valuable opportunity to collaborate with other agencies to gain a better understanding of the specific needs of regional WA and to work together to address some of those needs. The OIC acknowledges and appreciates the work of Ombudsman WA to organise and coordinate the RAAP.



Flyers distributed for RAAP visits to the East and West Pilbara

FOI services to the Indian Ocean Territories

Through the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (**DITRDCA**), the Australian Government facilitates the delivery of services normally expected from a State government to the territories of [Christmas Island](#) and the [Cocos \(Keeling\) Islands](#), collectively known as the Indian Ocean Territories (**IOT**). State-type services are delivered through service delivery arrangements (**SDAs**) with the WA Government, directly by the private sector under contract, or by the DITRDCA. Information about the SDAs existing in the Indian Ocean Territories is available on the DITRDCA [website](#).

From 1 July 2022 the OIC commenced a five year SDA with the Commonwealth Government to deliver FOI services to the IOT. Under the SDA the OIC will provide independent merits review of decisions made by WA Government agencies and IOT local governments on access applications and requests to amend personal information under the FOI Act. The OIC will

also undertake activities to assist WA Government agencies, IOT local governments and community members to understand their rights and obligations under the FOI Act.

The Commissioner visited the IOT in August 2022 and met with the IOT Administrator, Director of the IOT Administration Office and the Chief Executive Officers of the shires of Christmas Island and the Cocos (Keeling) Islands.

These meetings served to introduce the role of the Commissioner and the operations of the FOI Act, and to hear about issues facing the IOT community relevant to the Commissioner's jurisdiction.

The OIC's Coordinator, Education and Communications visited the IOT in May 2023 with officers from the Equal Opportunity Commission, Health and Disability Services Complaints Office, the Department of Mines, Industry Safety and Regulation and the Department of Communities. This visit included meetings with shire officers, officers of other agencies working in the IOT and community organisations and representatives, and public information sessions.

The OIC produced materials about accessing documents under the FOI Act, which were translated into Cocos Malay and Mandarin.

Our workplace

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

Ensured that our organisational structure promotes open lines of communication

- Completed workforce review
- Additional funding sought and approved to increase staff resources from 1 July 2023
- Commenced a review of job descriptions and organisational structure

Explored flexibilities that enhanced working arrangements and professional development

- Remote working arrangements approved
- Supporting continuing professional development (CPD) requirements for legal staff
- Approval given for staff to attend training, events and other development opportunities

Cultivated a positive organisational culture that supports personal wellness

- Continued support of a Mental Health First Aid Officer
- Promotion of the Employee Assistance Program

Strategic Goal: Sound information systems that support our operational needs

Used technology to improve efficiency and accessibility to our services

- Vulnerability assessment of network infrastructure and programs conducted

Implement a case management system that meets our reporting needs / Transition to an electronic records management system to better manage our record-keeping obligations

- Submission of a business case to the Digital Capability Fund to replace systems for case management and records management

Organisational review

As reported in the 2021/22 annual report, consultants were engaged in early 2022 to conduct an organisational review of the OIC in order to ensure there is a clear and functional reporting structure, and that all aspects of the OIC's functions and processes are being managed efficiently.

The recommendations from the review formed the basis of a revised organisational structure that was developed during 2022/23, to come into effect from 1 July 2023. The primary change to the structure was to update the flat two-tier design to a three-tier format with clear managerial responsibilities under two business units: external review and legal services; and education, communications and business services. The recommendations also outlined the optimal staff requirements to be able to discharge and support the Commissioner's statutory functions under the FOI Act and the strategic goals of the OIC. Consideration was given to factors such as current workloads, recognition of additional duties, organisational risk and the attraction and retention of staff.

To assist to implement the proposed new structure, the OIC sought additional funding and was awarded \$1.7 million from 2023/24. This will increase staff resources in the following manner:

- the addition of three FTEs for two years to reduce the backlog of external reviews;
- the reclassification of six existing positions; and
- the addition of one FTE for two years to increase corporate services capability.

Preliminary work began during the year to prepare for the new structure. This work included new staff appointments; the creation of new positions; review of existing job descriptions; preparation for new reporting relationships; and the creation of a leadership group.

In the coming year, the OIC will continue recruitment for new positions and embed the improved organisational structure.

Risk management

In the previous reporting period, the OIC engaged consultants to review its management of risk. A report was provided in June 2022 with recommendations to meet the relevant standards in risk management. This year, addressing these recommendations has been the key focus of the Risk Management Steering Committee (**RMSC**). Progress made includes the completion of a comprehensive Risk Management Framework, which is designed to address the OIC's specific organisational needs and risks, and securing additional funding to assist the OIC to strengthen its risk management capacity.

These developments have involved a substantial body of work that required the involvement of the Commissioner and senior staff.

Information technology

The OIC has for some time been aware of the need to update our information technology infrastructure and vital programs. This is reflected in the 2020-2023 strategic plan where a new strategic goal was added: invest in systems that support our operational needs. There are four objectives under this goal:

- Use technology to improve efficiency and accessibility to our service.
- Implement a case management system that meets our reporting needs.
- Transition to an electronic records management system to better manage our record-keeping obligations.
- Refine, review and improve our knowledge management system.

These are major initiatives that will have a high impact on the OIC's operations.

This year, in order to address the second and third objectives above, the OIC prepared and submitted a business case to the Digital Capability Fund for an integrated case management system (**CMS**) and electronic document and records management system to replace the OIC's existing systems. As a result, \$1.4 million in funding for 2023/24 has been provided for this project.

Cybersecurity

The OIC reported last year that it had liaised with the Office of Digital Government (**ODG**) to perform a second vulnerability

assessment of the operating system and network to identify deficiencies and make recommendations for their improvement. This follows the assessment conducted 12 months prior.

Strategic recommendations made by the ODG mirrored the previous assessment, including considering the replacement of the CMS and moving to cloud-based software solutions. The recommendation to replace the CMS will be progressed in the coming year as outlined previously, and the migration of the OIC's Exchange Server to Microsoft 365 is a concurrent project.

Workplace Wellness and Culture

Flexible working arrangements

The OIC continues to provide flexible working arrangements. During the year, all staff migrated from desktop workstations to laptops and are able to access the OIC's network remotely through a secure virtual private network.

The OIC recognises that flexibility in the workplace is a sign of a modern workforce and supports staff being able to work flexibly when appropriate, either as an ongoing basis or as the need arises.

Career development

Due to the small size of the OIC, there is limited capacity for career advancement within the organisation. It is recognised that this can pose a risk to job satisfaction and staff retention. This issue was considered as part of the organisational review

outlined previously and the new structure has been designed to provide greater opportunities for staff.

Workplace health and safety

The Commissioner is committed to providing a safe and healthy work environment and maintaining the safety and health of all staff, contractors and visitors. Workplace health and safety is about making sure staff, contractors and the community feel safe and supported when at work and when visiting the office. This is reflected in the OIC's 2020 OSH Commitment statement.

A standing agenda item at monthly staff meetings for workplace health and safety matters provides the opportunity for issues to be discussed and concerns to be raised by staff.

No injuries have occurred at the OIC in the reporting period. The required injury management and performance table is under the [OIC Statistics](#) section.

Compliance audits

Internal Audit Committee

The OIC's Internal Audit Committee was formed in 2021 and consists of two members of OIC staff and is chaired independently by a suitably qualified officer from an agency external to the OIC. The Committee met during the reporting year to review the OIC's previous internal audit results.

External audit

The audit opinion from the Auditor General identified no reportable issues in the financial statements, key performance indicators or controls for 2022/23.

Internal audit

At the time of this report the internal audit was yet to be completed. This delay has been reported to the Internal Audit Committee and the Office of the Auditor General, with the undertaking that it will be scheduled as soon as practicable.

Significant Issues

Recommended legislative and administrative changes

The Commissioner is required under section 111(4) of the FOI Act 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.

Standing recommendations for legislative amendment

In past annual reports the Commissioner has made recommendations for amendments relating to the following issues:

- Appointment of staff by the Commissioner (highlighted as a priority amendment in the OIC's 2020 annual report).
- 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 the above amendments have been made to the FOI Act. The Commissioner maintains the need for all of these amendments, as well as the need for a comprehensive review of the FOI Act.

New recommendation for the establishment of a Deputy Information Commissioner

Following the completion of the organisational review this year (see page [38](#) of this report), the Commissioner recommends an additional amendment to the FOI Act relating to the establishment of the position of Deputy Information Commissioner (or similar).

One of the key features of the proposed structure for the OIC recommended by the consultants as part of the organisational review was the creation of a Deputy Commissioner role.

Section 79 of the FOI Act prevents the Commissioner from delegating to a staff member the power under section 76 to make a decision on an external review (either confirming, varying or setting aside an agency's decision), or the power under section 75 to require an agency to produce disputed documents. Among other things, this means that if the Commissioner is on a leave of absence or is otherwise unable to perform her functions, the only available option is the appointment of an Acting Commissioner under section 59 of the FOI Act. Each appointment requires appointment by the Governor in Executive Council, and the administration of an

oath or affirmation by the Speaker of the Legislative Assembly. This process takes time and adds to the workload of Cabinet, Executive Council and the Speaker.

The benefits of creating a Deputy Commissioner position with statutory powers to exercise currently non-delegable powers include:

- reducing the need to appoint an Acting Commissioner;
- assisting to reduce the OIC's current external review backlog by having an additional person with statutory powers to finalise matters by formal decision when required; and
- assisting to enable the Commissioner to focus on strategic matters.

The creation of a Deputy Commissioner role for the OIC is in line with other similar Western Australian accountability bodies which also have Deputy roles (such as the Health and Disability Services Complaints Office, Office of the Inspector of Custodial Services and the Ombudsman WA).

Review of the FOI Act

The FOI Act has been in operation for 30 years. No substantive amendments have been made to the FOI Act since it came into operation in 1993. As noted in previous reports, with both the passing of time and the significant technological advancements in the way information is created, used and stored, the FOI Act is now well overdue for review.

As stated in the OIC's 2021/22 report, in November 2020 the Legislative Council's Standing Committee on Public

Administration (**the Committee**) produced Report No 34, *Consultation with Statutory Office Holders*. The Committee recommended that the Attorney General undertake a review of the FOI Act, with public consultation, to be tabled in the Parliament before the end of 2023.

As reported at page 50 of last year's [annual report](#), on 30 June 2022 the Commissioner provided a submission to the Attorney General regarding a review of the FOI Act. The [full submission](#) is available on the OIC website.

In November 2022, the Government advised the Committee that the recommendation that the FOI Act be reviewed by the end of 2023 had [not been formally accepted](#), due to the prorogation of the last term of Parliament, and that [three years remained a reasonable period of time](#) to table a review of the Act, from the date the recommendation is reissued by the Committee, should it resolve to do so.

In February 2023, the Committee produced Report No 38, *Consultation with Statutory Office Holders*. Among other things, that report recommended that the Attorney General undertake a review of the FOI Act and table a report in the Parliament within 3 years. In its [response to the Committee](#), the Government supported the recommendation and stated that the Attorney General will endeavour to table a report within the recommended timeframe.

Following this report, the Attorney General invited the Commissioner to provide a proposed terms of reference for a review of the FOI Act by the Western Australian Law Reform Commission. The OIC is preparing that document, to be provided to the Attorney General later in 2023.

Submissions and consultations

During the reporting period, the Commissioner was formally consulted about various proposed amendments to the FOI Act.

Proposed amendments to the FOI Act are usually submitted through the Attorney General as the Minister responsible for the administration of FOI legislation. However, it is government policy that government agencies are required to consult the Commissioner in respect of any proposed amendments to FOI legislation they intend to submit to the Attorney General.

In general, and in keeping with the objects and intent of the FOI Act, the Commissioner does not support additional exemptions from access to information under the FOI Act, or the exclusion of the operation of the FOI Act, except in very limited circumstances. The Commissioner's view is that, firstly, it must be demonstrated that the particular documents for which exemption or exclusion from the operation of the FOI Act is sought are of a kind that require protection from disclosure. Secondly, the Commissioner must be satisfied that the current provisions in the FOI Act, including the existing range of exemptions, are not adequate to protect such documents from disclosure.

During the reporting period, the OIC also contributed comments and submissions (as requested) on a number of government proposals ranging from proposals affecting information disclosure more generally, privacy and information sharing (see below) and government accountability, integrity and transparency.

Privacy and responsible information sharing (PRIS)

As noted in previous OIC annual reports, in 2019 the Department of the Premier and Cabinet (DPC) released the [Privacy and Responsible Information Sharing for the Western Australian Public Sector Discussion Paper](#) and, in 2021, DPC published the [Privacy and Responsible Information Sharing Consultation Summary Report](#).

In December 2022, the Government [announced](#) it is drafting privacy and responsible information sharing (PRIS) legislation to 'protect the personal information of Western Australians and facilitate responsible use and sharing of government data'.

In [September 2022](#), the [Directors General Information and Communications Technology Council](#) approved the establishment of the Public Sector PRIS Implementation Steering Committee. Following an invitation to nominate a representative on the Committee, the OIC attends monthly meetings of the Committee as an observer and is also a member of a related working group.

We also provide feedback and assistance as requested to the Office of Digital Government (an office within DPC) and the State Solicitor's Office in relation to the proposed PRIS legislation.

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.

During the year, one decision of the Commissioner was the subject of an appeal to the Supreme Court.

That appeal (filed by the complainant) arose from a decision of the Commissioner to stop dealing with the complainant's external review pursuant to section 67(1)(b) of the FOI Act, against a decision of Health Support Services, on the ground that the matter was lacking in substance. The appeal (Supreme Court file reference: GDA 10 of 2022) was dealt with in conjunction with a number of other matters involving the same complainant (that did not involve a decision of the Commissioner) and was dismissed on 5 July 2023: see *Lee v The State of Western Australia [No 2] [2023] WASC 247*.

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

Information Access Study 2023

In 2023, the OIC participated in a third cross-jurisdictional study of community attitudes on access to government information with Information Access Commissioners and the Commonwealth Ombudsman. The study was coordinated by the Information and Privacy Commissioner of New South Wales and conducted by Woolcott Research and Engagement.

As in the previous studies conducted in 2019 and 2021, approximately 350 WA residents aged 18 years and over were surveyed in a mixed mode survey using online panel and computer assisted telephone interviewing.

The full results of the WA study are available on the OIC website.

Some of the highlights of the research from the WA survey are:

- Similar to 2019 and 2021 results, most respondents (88%) indicated that having a right to access government information was either very important or quite important. Respondents who had tried to access information held by a government agency in the last three years were much more likely to feel it was very important (58%).
- In 2023, slightly less people knew they had the right to access information held by the listed agencies (72% compared to 79% in 2021). Respondents were more likely to be aware of their right to access information from local governments/councils (55%), and least likely to be aware of the right to access information from public universities, state owned businesses and Ministers (29% respectively).
- Similar to previous years, close to a third of respondents (31%) had tried to access information held by government agencies in the last three years. As with previous years, respondents were more likely to access information held by local government (17%) and public hospitals and health services (15%).

- In 2023, significantly fewer respondents who tried to access information from these agencies were successful (77%), compared to 88% in 2021 and 91% in 2019.

This year two new questions were asked in addition to those asked in previous years:

- *How important is it to know when government uses technology to assist in decision-making that affects members of the public?*

Over three quarters (78%) of respondents indicated that knowing when the government uses technology that affects members of the public was important.

- *How confident are you that Freedom of Information laws in WA will ensure you obtain access to information about how decisions are made by government agencies?*

More than half (52%) of respondents were either very or quite confident that freedom of information laws ensured the public could access information about how decisions are made by the government. However, approximately a third of people (34%) indicated a lack of confidence in these laws.

The comparative study of results across the Commonwealth jurisdiction and the State information access jurisdictions in New South Wales, Queensland, Tasmania, Victoria, Western Australia and the ACT are available on the OIC [website](#).

National Metrics about Information Access Rights

The National Dashboard of Utilisation of Information Access Rights compares statistics on the use of information access rights across Australian access jurisdictions.

In 2017, Australian Information Access Commissioners and Ombudsmen released the inaugural dashboard of metrics on public use of freedom of information access rights, fulfilling a commitment made in the [Open Government National Action Plan](#).

The metrics for each jurisdiction reflect current available data that is reasonably comparable across jurisdictions. The metrics for WA are compiled from the agency statistical data provided to this office each year.

The National Metrics data now includes the data for 2021/22 (which is the most recent data across the jurisdictions) and was published in the reporting period. The most recent National Metrics are available on the NSW Information and Privacy Commission's [website](#).

Development of the National Metrics

Under Commitment 3.2 of Australia's first Open Government National Action Plan 2016-2018, the NSW Information Commissioner led work by Australian Information Commissioners and Ombudsmen to develop (within the remit of their jurisdictions) uniform metrics on public use of freedom of information access rights and the collection and publication of this data. The objective was that Australia will better

measure and improve our understanding of the public's use of rights under access to information laws.

The scope of the metrics covers:

- The type of applicant
- Application rates per capita
- Release rates
- Refusal rates
- Timeliness
- Review rates

In line with the milestones for Commitment 3.2 detailed in the National Action Plan, NSW lead a validation and pilot process for data collection and presentation, for release in the first data report using the metrics.

The National Metrics are not all directly comparable to the statistics published about agency applications in the OIC annual report. The raw data from the statistical returns is used to calculate each metric so as to link similar applications, and outcomes that are reasonably comparable across jurisdictions.

For example, in the National Metrics, the reported number of access applications where access is refused in full does not include those where there was a decision made under section 26 of the FOI Act to refuse access (on the basis that the documents cannot be found or do not exist). This is because not all jurisdictions have the equivalent of a section 26 decision available in the jurisdiction.

Western Australia Metrics – 2017/18 to 2021/22

Description	2017/18	2018/19	2019/20	2020/21	2021/22
Metric 1: Number of formal applications received by agencies	17,258	19,258	18,392	20,354	21,169
Metric 2: Formal applications received per capita	6.7	7.3	6.9	7.6	7.6
Metric 3: Percentage of all decisions made on formal applications where access was granted in full or in part	96%	94%	91%	92%	91%
Metric 4: Percentage of all decisions made on formal applications where access was refused in full	4%	6%	9%	8%	9%
Metric 5: Percentage of all decisions made within the statutory time frame	91%	90%	87%	86%	88%
Metric 6: Percentage of applications received which are reviewed by the jurisdiction Information Commissioner/ Ombudsman	1.0%	0.9%	0.9%	0.8%	1.0%

More information about the eight years of National Metrics data is available on the OIC's [website](#):

What the data says about information access in WA in 2021/22

The data from the 2021/22 dashboard indicates that Western Australia:

- receives the highest number of access applications per capita;

- has the fourth highest percentage of access provided in full or in part (91%);
- has the lowest percentage of external reviews received, as a percentage of the total number of access applications received by agencies; and
- dealt with 88% of access applications within the statutory timeframe provided by the FOI Act.

Standing Committee on Public Administration

The Commissioner appeared before the Standing Committee on Public Administration (**the Committee**) on 8 August 2022. Following hearings with the Commissioner and other statutory office holders, the Committee tabled Report No 38, titled *Consultation with Statutory Office Holders*, on 14 February 2023. Report 38 is available on the Parliament's [website](#).

The recommendations of the Committee as they relate to the OIC and FOI in WA were as follows:

- **Recommendation 1:** The Office of the Information Commissioner upgrade its information technology systems in order to facilitate online conciliation conferences and improve the interrogation of freedom of information data.
- **Recommendation 2:** The Attorney General undertake a review of the *Freedom of Information Act 1992* and table a report in the Parliament of Western Australia within 3 years of the tabling [of Report No 38].

- **Recommendation 3:** The Attorney General consider increasing the budget of the Office of the Information Commissioner.

The Government's response to that report is available on the Parliament's [website](#).

FOI research project by Monash University

The culture of implementing freedom of information in Australia

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 the culture of implementing Freedom of Information in Australia.

The three year project commenced in 2021. The objects of the project are to:

- capture and analyse how FOI officers 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.

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. A well-functioning access to information system is crucial, both for good governance and participation in the digital economy.

The OIC will contribute \$38,000 to the research project over three years. In April 2021, the project was also granted substantial funding by the Australian Research Council.

In the reporting period WA agencies participated in short surveys and interviews administered by Monash University. These agencies were selected to represent a broad mix of large, small, metropolitan and regional organisations from sectors including health, local government, large departments, and statutory authorities.

The research project has been designed to provide anonymity for participating agencies and individual participants. While the researchers will engage with the participants, the research sponsors will not be provided with any identifying information. The content of responses and data collected by Monash University will not be attributed to any particular agency or individual in the final report or any preliminary findings, and the research sponsors will not have access to responses provided to Monash University, although anonymous quotes from responses may be included in the final report and scholarly publications.

The final report will be published in 2024. Updates about the research project are available on the Monash University [website](#).

Agencies not dealing with access applications within statutory timeframes

The FOI Act outlines statutory timeframes within which agencies must deal with an access application, including providing a notice of decision.

The FOI Act provides that an agency must 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;
- such other period as is agreed between the agency and the access applicant; or
- such other period as is allowed by the Commissioner.

Section 13(2) of the FOI Act provides, in effect, that if an applicant does not receive a written notice of decision from the agency within the permitted period, the agency is taken to have refused the applicant access to the requested documents. In such circumstances, it is open to an applicant to seek an internal review of the agency's deemed decision.

Section 43(2) of the FOI Act provides that, if the agency fails to give an applicant written notice of its internal review

decision within 15 days after the applicant applies for internal review, or such longer period as is agreed between the agency and the applicant, the agency is taken to have decided to confirm its deemed refusal of access.

In the previous reporting period, the Commissioner noticed that an increase in applications for external review were received without the agency having made either or both an initial decision or an internal review decision within the relevant statutory timeframe. At the time, no data was available and the OIC subsequently started to record these matters.

For the 2021/22 reporting period, the OIC received 195 valid applications for external review. In 11 of those matters, either or both the initial decision and the internal review decision had not been made by the agency within the relevant statutory period.

During the current reporting period, 156 valid applications for external review were received and, in 9 of those matters, either or both the initial decision and the internal review decision had not been made by the agency within the relevant statutory period.

A guide is available on the OIC website to assist applicants to understand their rights when a notice of decision is not provided in the statutory period: [What if the agency delays making a decision?](#)

The OIC will continue to monitor these matters and consider whether they warrant particular targeted action.

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 three times yearly 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 with accountability functions.

Association of Information Access Commissioners (AIAC)

The Information Commissioner is a member of the Association of Information Access Commissioners (**AIAC**). Established in 2010, this is a network of Australian and New Zealand information access authorities who administer access to information legislation. The purpose of the AIAC is for members to exchange information and experience in the exercise of their respective oversight responsibilities, and to promote best practice and consistency in information access policies and laws.

The AIAC meets twice per year, and the Commissioner attended both AIAC meetings in the 2022/23 financial year. The first took place on 7-8 December 2022 in Wellington, New Zealand. The second meeting, on 2 June 2023, was held in Sydney. Following the Wellington meeting, the AIAC released

a [communiqué](#) marking 40 years since both Australia and New Zealand introduced information access legislation.

A Communications Working Group (**CWG**) has formed between the agencies of the AIAC. The CWG provides an regular forum through which communications, education and engagement officers can collaborate on campaigns, discuss matters of common interest, share ideas and experiences, and work together to enhance public trust and confidence in access to information. The International Access to Information Day events and promotions are an important focus of the group.

International Conference of Information Commissioners

The Commissioner is 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.

ICIC meeting – Manila, Philippines

In June 2023, the Commissioner attended the 14th meeting of the ICIC in Manila, Philippines. The theme of the meeting was *Bridging Information Across Nations: Concretizing the Global Role of Access to Information for Democratic Preservation, Inclusivity, and Development*. At this

conference, the Commissioner was a panellist in a parallel session entitled *Policy Framework for ATI in the Global Arena: Paradigm Shift and Reforms*.

A number of the public sessions from the ICIC meeting, including the Commissioner's panel session, are available on the [ICIC YouTube channel](#).



Delegates at the ICIC meeting Manila, Philippines

Indonesian ministerial delegation visit

On 1 December 2022, the OIC received a visit from members of the Indonesian Coordinating Ministry of Political, Legal, and Security Affairs of the Republic of Indonesia. Also in attendance was the Indonesian Consul General of the Republic of Indonesia in Perth, the Vice Consul for Information and Socio-Cultural Affairs, and the Director of State Records WA.

In this meeting, participants discussed the implementation of the FOI Act in WA and its equivalent in Indonesia, the *Public Information Disclosure Act 2008*. The Coordinating Ministry gained a deeper understanding of how freedom of information

laws and information access bodies work in WA and across Australia.



Staff from the OIC and the Indonesian Coordinating Ministry of Political, Legal, and Security Affairs of the Republic of Indonesia; Indonesian Consul General of the Republic of Indonesia in Perth, the Vice Consul for Information and Socio-Cultural Affairs, and the Director of State Records WA

Information Management

By virtue of her role as Information Commissioner, the Commissioner is one of four State Records Commissioners under the *State Records Act 2000*. As State Records Commissioner, the Commissioner takes an active part in a broad range of public sector information related projects led by the State Records Office, including projects relating to revised record-keeping standards and principles, information management and information classification.

Western Australian Information Management Framework Working Group

Following Cabinet approval for the development of an Information Management Framework (IMF) for Western Australia, the IMF working group was established in 2022. The IMF is coordinated by the State Records Office and aims to provide support to the sector in the development of consistent and compliant information management practices. The Commissioner has joined with other agency representatives to form the working group, which supports the work of the State Records Office in the development of the IMF.

Western Australian Information Classification Policy Working Group

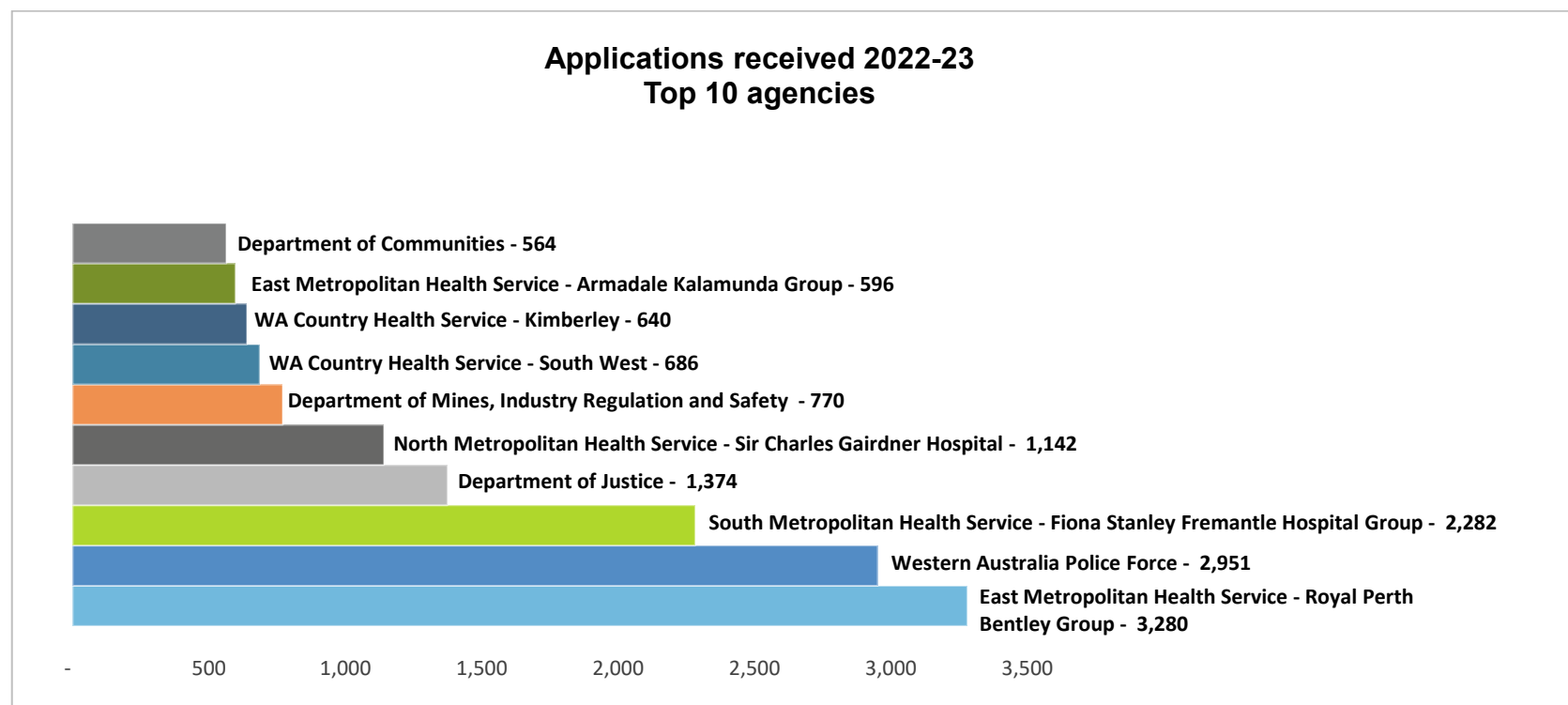
In August 2020, the government launched the WA Information Classification Policy (**the WAICP**). The WAICP provides a common language for agencies to identify risks and apply appropriate sensitivity labels that will assist agencies to protect, store and share their information assets.

The Working Group is comprised of agency and independent office representatives and was established to assist with the development of guidance materials to support the implementation of the WAICP. During the year, the OIC continued its involvement with the Working Group in a review of the WAICP and the WAICP Supplementary Guide, and in the development of associated training resources.

Disclosures and legal compliance

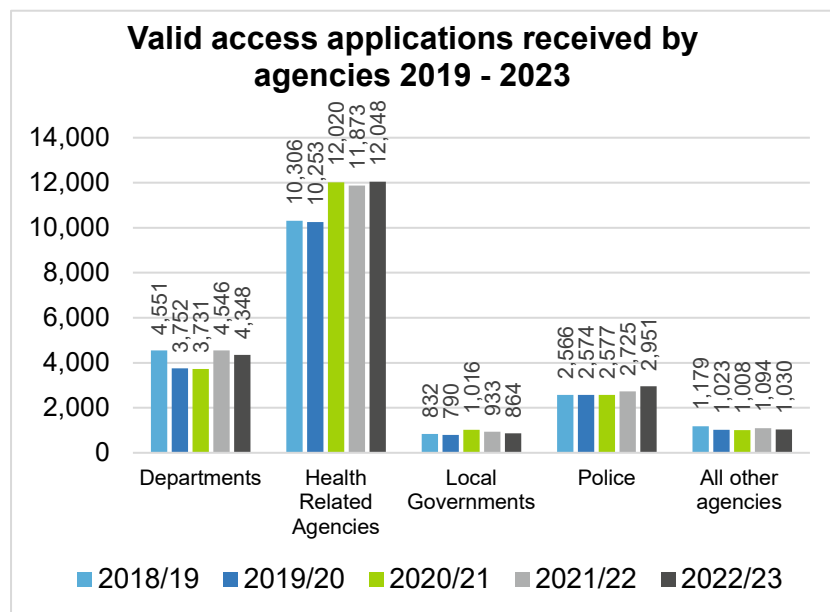
FOI in the sector

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 2022/23 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	2022/23
Health related agencies	12,048
Departments (except Police and Health related agencies)	4,348
Police	2,951
Boards, Committees, Commissions, Authorities, Corporations	899
Local Governments	864
Ministers	98
Universities	33
TOTAL	21,241

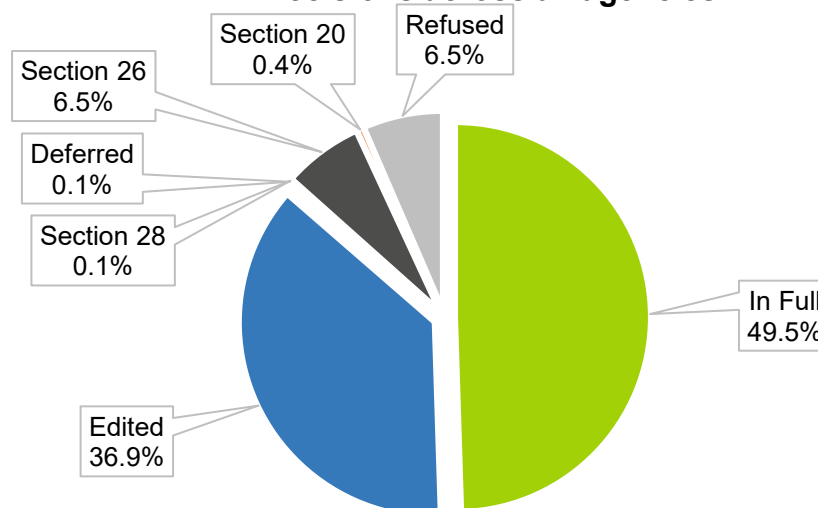


See Table 12 for details of all agencies.

Agency decisions

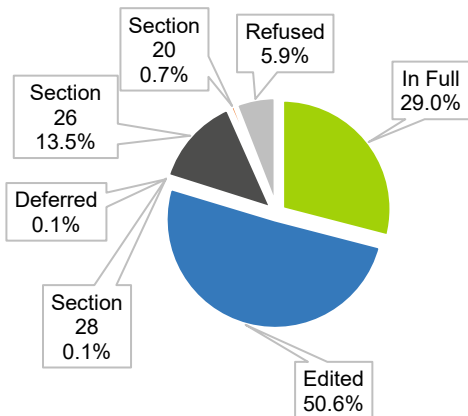
- 18,998 decisions were made by agencies in response to access applications during the year, a 1.9% decrease from 2021-22. See Table 13.
- A further 1,752 applications were withdrawn.
- 86.6% of decisions resulted in the applicant receiving some form of access, whether in full; in part; by way of deferred access under section 25 of the FOI Act; or through a medical practitioner in accordance with section 28 of the FOI Act.
- 13.4% 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 under section 20 of the FOI Act on the ground that it would divert a substantial and unreasonable portion of the agency's resources away from its other operations.
- This is the second year that agencies have been required to report section 20 decisions separately. These types of decisions have previously been counted under 'access refused'. 31 agencies reported a total of 79 decisions were made under section 20 during the reporting period.

Decisions across all agencies

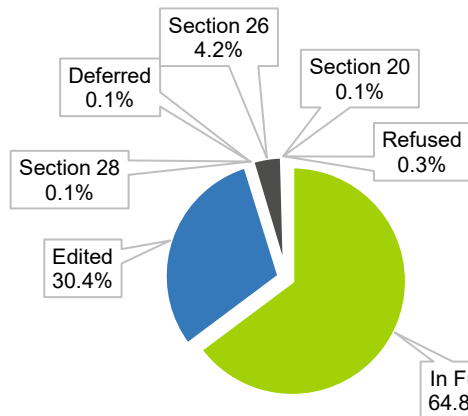


SUMMARY Agency Groups	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Boards, Committees, Commissions, Authorities, Corporations	386	45.0%	386	45.0%	0	0.0%	1	0.1%	56	6.5%	2	0.2%	27	3.1%
Departments (except Police and Health related agencies)	938	25.5%	1901	51.7%	5	0.1%	4	0.1%	558	15.2%	29	0.8%	244	6.6%
Health-related Agencies	7386	64.8%	3468	30.4%	13	0.1%	8	0.1%	478	4.2%	10	0.1%	38	0.3%
Local Governments	98	12.7%	566	73.6%	6	0.8%	0	0.0%	58	7.5%	9	1.2%	32	4.2%
Ministers	20	24.4%	34	41.5%	2	2.4%	0	0.0%	22	26.8%	2	2.4%	2	2.4%
Police	574	26.3%	627	28.8%	0	0.0%	2	0.1%	60	2.8%	25	1.1%	891	40.9%
Universities	2	6.7%	25	83.3%	0	0	0	0.0%	1	3.3%	2	6.7%	0	0.0%
TOTAL	9,404	49.5%	7,007	36.9%	26	0.1%	15	0.1%	1,233	6.5%	79	0.4%	1,234	6.5%
GRAND TOTAL	18,998													

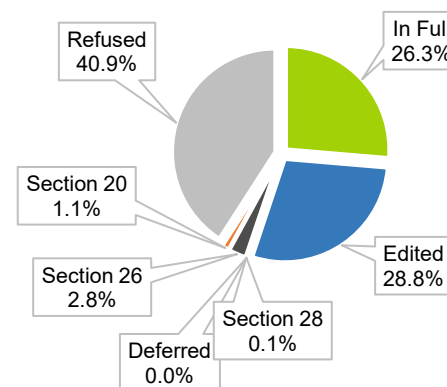
State government agencies (excluding Police & Health- related)



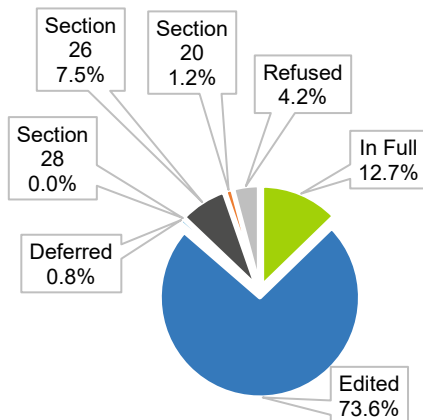
Health-related agencies



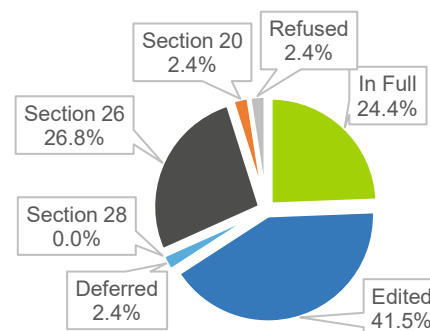
Western Australia Police Force



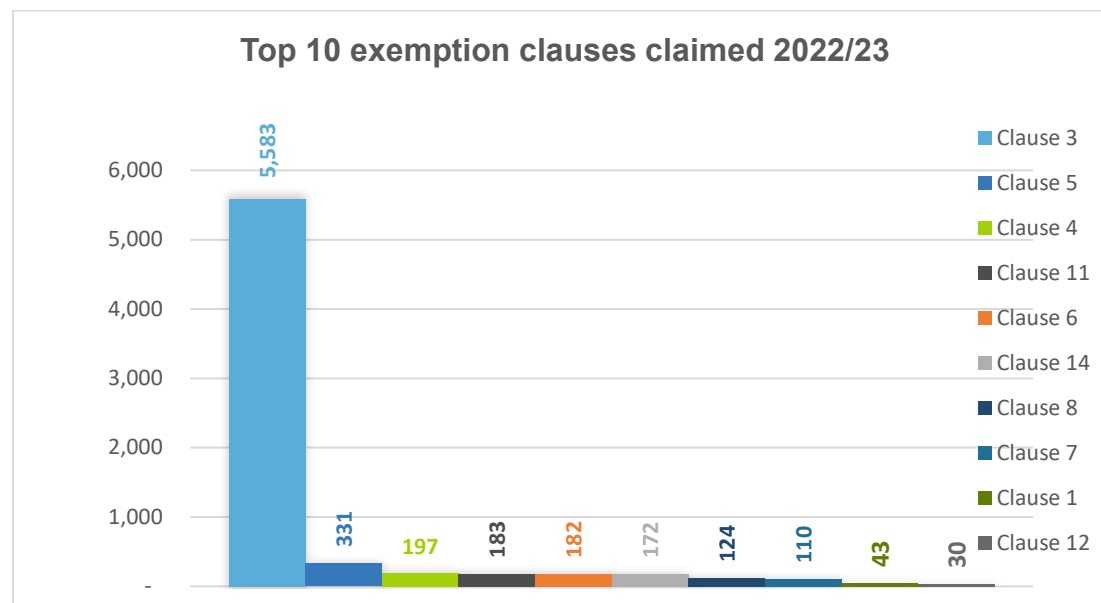
Local Governments



Ministers



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	3	0	224	17	0	2	121	22	10	0	5	1	0	0	2	2
Departments (except Police and Health related agencies)	25	2	1,787	103	0	159	35	50	56	0	18	171	20	3	161	0
Health Related Agencies	2	2	2,243	7	0	5	4	0	25	0	0	0	0	0	3	0
Local Governments	0	1	502	65	0	40	15	29	19	0	3	3	0	0	3	0
Ministers	14	0	31	3	0	1	2	4	4	0	0	0	7	0	0	0
Police	2	0	788	0	0	122	0	0	3	0	0	4	4	0	3	0
Universities	0	0	9	2	0	2	5	6	7	0	0	4	0	0	0	0
TOTAL	46	5	5,584	197	0	331	182	111	124	0	26	183	31	3	172	2

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. However, agencies are not *required* to impose charges.

- A total of \$177,495 in access application fees was collected by agencies in the reporting period.
- \$47,893 in charges was imposed by agencies, an average of \$7.58 per application for non-personal information. However, in the majority of cases, no charges were reported as 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 Commissioner.

The average time for dealing with access applications in the reporting period was 26.5 days (24.9 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 services)	33	455
Health services	18	1,898
Local government	20	57
TOTAL	71	2,410

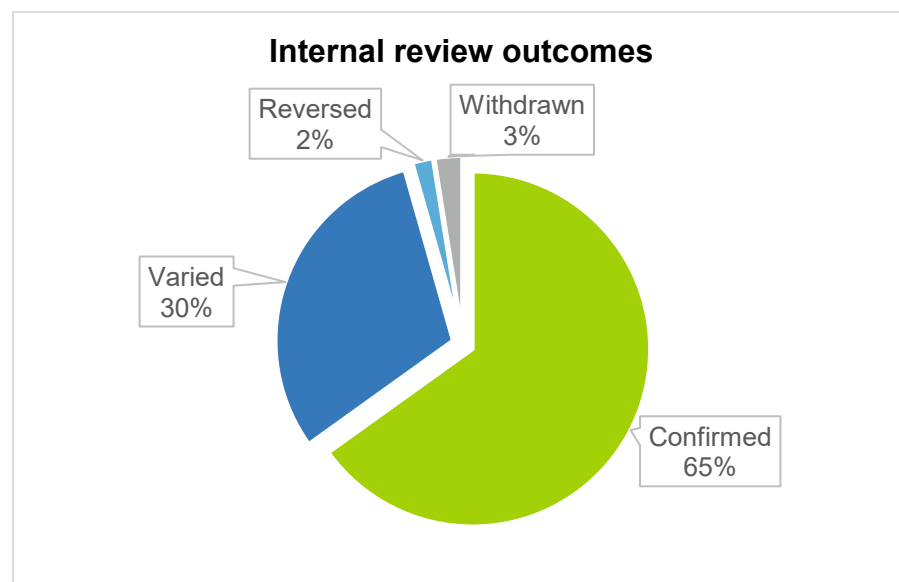
Of the 18,998 decisions made by agencies during the year, 12.7% were not dealt with in the permitted period compared to 13.5% in the previous year.

59.4% of agencies that dealt with a valid access application during the reporting period 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?](#)

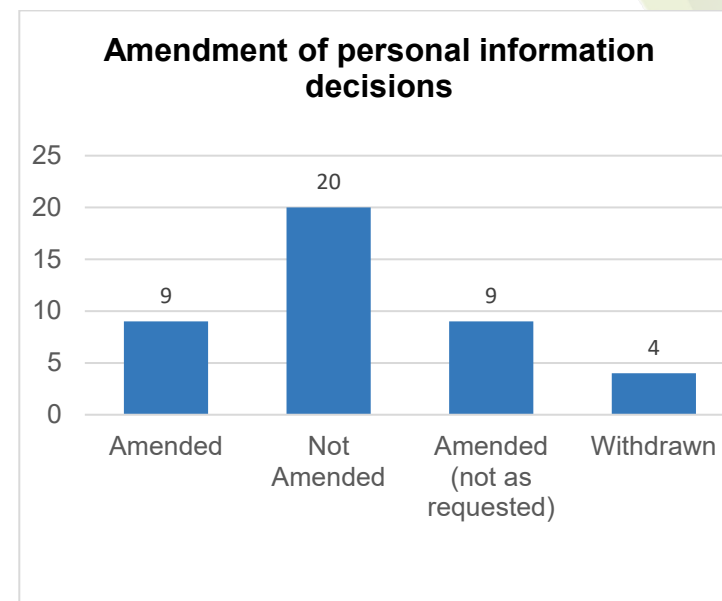
Internal review

- Agencies received 290 applications for internal review of decisions relating to access applications. This represents 1.5% of all decisions made.
- 103 (32.4%) internal review applications finalised during the reporting period resulted in the initial decision being varied or reversed.



Amendment of personal information

- 33 applications for amendment of personal information were received and 42 applications were finalised.



- 7 applications for internal review of amendment decisions were received and 8 decisions were made, 100% of which were to confirm the initial decision.

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.

Capital works

No capital works projects were completed during the reporting period.

As outlined earlier in this report, \$1.4 million in funding from the Digital Capability Fund was approved for 2023/24 to replace the current case management system and procure a fit-for-purpose document management system.

Employment and industrial relations

Staff profile

The following profile shows staff numbers as at 30 June of each year indicated.

	2023	2022
Full-time permanent	5	6
Full-time contract	5	3
Part-time measured on a FTE basis	2.7	2.25
On secondment	0	2

The OIC also has contracted two temporary staff at 30 June 2023 (one full-time and one part-time).

Staff movements

- In July 2022 a permanent appointment was made to the Principal Legal Officer position.
- In August 2022 a 12 month contract appointment was made to the Senior Legal Officer position.
- In August 2022 a 18 month contract appointment was made to the Communications Project Officer position.
- In December 2022 a 12 month contract appointment was made to the Review Officer position.
- In January 2023 the Clerical Officer resigned.
- In January 2023, a permanent appointment was made to the Investigations Officer position, following a 12 month secondment.
- In June 2023 a two year contract appointment was made to the Executive Assistant position.

Staff development

Continuing Professional Development (CPD)

The *Legal Profession Uniform Law Application Act 2022* commenced on 1 July 2022, repealing the *Legal Profession Act 2008*. Under the *Legal Profession Uniform Law Application Act 2022*, government lawyers employed by the OIC are required to apply for, and hold, a practising certificate to engage in legal practice. Compliance with CPD obligations is

a condition on their practising certificates. The OIC continues to support those officers with their CPD.

Other professional development

Staff are encouraged to attend various learning opportunities that arise. During the period, 50 events were attended by staff during the year. The availability of webinars and online training has increased opportunities 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.

Workers' compensation

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

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.

Corporate credit card

There were no instances of a corporate credit card being used for private expenses.

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, two conflicts were registered by the officers concerned and appropriate measures were put in place to manage that potential conflict.

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 has a published Disability Access and Inclusion Plan (**DAIP**). The purpose of the DAIP is to ensure that people with

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 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 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.

During the year, the following initiatives were achieved that correspond to the outcomes of the DAIP.

- The OIC entered into a service delivery agreement with the Commonwealth to provide services to the Indian Ocean Territories (IOT). OIC publications outlining the FOI process were translated into Chinese and Cocos Malay and provided to the local councils for the IOT community, allowing services to be provided and available to the community in traditionally non-English speaking regions.
- Captioning has been added to the video on the OIC homepage 'The right to access government documents'. The video explains the fundamentals of access to government information. This allows information regarding the rights available to members of the public under the FOI Act to be viewed and understood without sound.

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 their induction, and these documents are also available to all staff on the OIC's knowledge management system.

The OIC has an integrity officer who reports on integrity issues at the staff monthly meetings, in order to raise awareness and ensure that staff are aware of their obligations in relation to integrity.

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 no formal complaints.

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

Records management

During the reporting period the review of the OIC's record-keeping plan (**RKP**) was completed. The updated RKP was submitted to the State Records Office and subsequently approved in December 2022. Included with the revised RKP was a separate records disaster recovery plan and a vital records register.

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 2023.



Catherine Fletcher
Information Commissioner

6 October 2023



Tony Pruyn
Manager External Review

6 October 2023

Nexia Perth Audit Services Pty Ltd



Government Goal

Safe, Strong and Fair Communities:

Supporting our local and regional communities to thrive.

Desired outcome

Access to documents and observance of processes in accordance with the *Freedom of Information Act 1992 (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 Office of the Information Commissioner (**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

1. Average cost of external reviews finalised.
2. Average cost of advisory services delivered per recipient.

Key effectiveness indicators

Satisfaction of parties with external review process

	2019	2020	2021	2022	2023
Target	85%	85%	85%	85%	85%
Outcome	82%	78%	76%	80%	85%

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:

Were you satisfied with the outcome of the external review?

1. Regardless of the outcome, were you satisfied with the manner in which the external review was conducted by the OIC?
2. Do you consider that you were kept adequately informed regarding the progress of the external review?

3. Was the officer assigned to the external review professional in his or her dealings with you?

A PRQ was sent to 214 parties who participated in an external review process following finalisation of the review process. 84 participants returned a completed PRQ. 59 responses were received from agencies and 25 were received from complainants. The total response rate from all participants was 39%.

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 84 respondents, 71 (85%) 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

	2019	2020	2021	2022	2023
Target	98%	98%	98%	98%	98%
Outcome	99%	98%	100%	98%	98%

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 278 State and local government agencies and Ministers. Of the 278 surveys sent, 242 agencies (87%) responded by returning a completed survey. Of the 242 respondent agencies, 133 (54.9%) confirmed receiving advice and guidance from this office.

Of those 133 agencies that received advice, 131 agencies (98%) 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.

	2019	2020	2021	2022	2023
Target	70%	70%	70%	70%	70%
Outcome	82%	64%	63%	70%	68%

In total, 394 matters of all types were finalised by the OIC in 2022/23. However, of those 394 matters, only 139 were complaints (external reviews), as defined in s.65 of the FOI Act. Of the 139 external reviews resolved in 2022/23, 94 (68%) 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

2022/23 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.

	2019	2020	2021	2022	2023
Budget	\$10,966	\$7,206	\$6,788	\$7,016	\$8,472
Actual	\$7,414	\$7,709	\$7,155	\$9,674	\$10,085

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 2022/23 (193) into the "Total Cost of Services" for the Resolution of Complaints output.

Note: The variation in the actual average cost is primarily due to the fluctuations in the number and complexity of matters received and resolved each financial year. The same fluctuations influence the calculation of estimates for budget purposes.

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 2021/22 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.

	2019	2020	2021	2022	2023
Budget	\$215	\$364	\$324	\$219	\$348
Actual	\$316	\$283	\$215	\$331	\$370

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 2022/23 (2,447) into “Total Cost of Services” for the Advice and Awareness output.

Note: The variation in the actual average cost is primarily due to the fluctuations in the number advisory service units delivered each financial year. The same fluctuations influence the calculation of estimates for budget purposes.

Financial Statements

Office of the Information Commissioner

Disclosures and Legal Compliance

Certification of financial statements

For the reporting period ended 30 June 2023

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 2023 and the financial position as at 30 June 2023.

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
Information Commissioner
6 October 2023

Michelle Fitzgerald

Michelle Fitzgerald
Chief Finance Officer
6 October 2023

Nexia Perth Audit Services Pty Ltd



Auditor General

INDEPENDENT AUDITOR'S REPORT

2023

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 (Commissioner) which comprise:

- the Statement of Financial Position at 30 June 2023, and the Statement of Comprehensive Income, Statement of Changes in Equity and Statement of Cash Flows 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 2023 and the financial position at the end of that period
- in accordance with Australian Accounting Standards (applicable to Tier 2 Entities), 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 believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

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 (applicable to Tier 2 Entities), 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.

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

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 misstatements, 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 the State's financial reporting framework (the overall control objectives).

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 the State's financial reporting framework during the year ended 30 June 2023.

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 Engagement 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 2023. 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 2023.

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 controls 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 Information Commissioner is responsible for identifying key performance indicators that are relevant and appropriate, having regard to their purpose in accordance with Treasurer's Instructions 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 management relating to the report on financial statements, 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 ASQM 1 *Quality Management for Firms that Perform Audits or Reviews of Financial Reports and Other Financial Information, or Other Assurance or Related Services Engagements*, the Office of the Auditor General maintains a comprehensive system of quality management including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

Other information

The Information Commissioner responsible for the other information. The other information is the information in the entity's annual report for the year ended 30 June 2023, but not the financial statements, key performance indicators and my auditor's report.

My opinions on the financial statements, controls and key performance indicators do not cover the other information and accordingly I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, controls and key performance indicators my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and key performance indicators or my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I did not receive the other information prior to the date of this auditor's report. When I do receive it, I will read it and if I conclude that there is a material misstatement in this information, I am required to communicate the matter to those charged with governance and request them to correct the misstated information. If the misstated information is not corrected, I may need to retract this auditor's report and re-issue an amended report.

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

The auditor's report relates to the financial statements and key performance indicators of the Office of the Information Commissioner for the year ended 30 June 2023 included in the annual report 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 the annual report. If users of the financial statements 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.

Tim Sanya
Senior Director Financial Audit
Delegate of the Auditor General for Western Australia
Perth, Western Australia
9 October 2023

Statement of Comprehensive Income – 30 June 2023

	Note	2023 \$	2022 \$
Cost of services			
<i>Expenses</i>			
Employee benefits expense	2.1(a)	1,964,516	1,745,935
Supplies and services	2.2	560,574	565,078
Depreciation expense	4.1(a)	1,710	1,710
Accommodation expenses	2.2	201,222	201,222
Other expenses	2.2	134,371	98,128
Total cost of services		2,862,393	2,612,073
<i>Income</i>			
<u>Revenue</u>			
Commonwealth contributions	3.2	78,243	-
Other income		1	450
Total income		78,244	450
Net cost of services		2,784,149	2,611,623
<i>Income from State Government</i>			
Service appropriation	3.1	2,390,000	2,262,000
Services received free of charge	3.1	23,767	55,937
Total income from State Government		2,413,767	2,317,937
Surplus/(deficit) for the period		(370,382)	(293,686)
Other comprehensive income			
Total other comprehensive income		-	-
Total comprehensive income for the period		(370,382)	(293,686)

See also the 'Schedule of Income and Expenses by Service'.

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

Statement of Financial Position – 30 June 2023

	Note	2023 \$	2022 \$
Assets			
<i>Current Assets</i>			
Cash and cash equivalents	6.1	400,052	738,868
Receivables	5.1	22,329	19,111
Other current assets	5.3	21,332	8,099
Total Current Assets		443,713	766,078
<i>Non-Current Assets</i>			
Restricted cash and cash equivalents	6.1	38,493	31,807
Amounts receivable for services	5.2	58,000	52,000
Property, plant and equipment	4.1	3,424	5,134
Total Non-Current Assets		99,917	88,941
Total Assets		543,630	855,019
Liabilities			
<i>Current Liabilities</i>			
Payables	5.4	60,676	55,155
Employee related provisions	2.1(b)	417,760	377,167
Total Current Liabilities		478,436	432,322
<i>Non-Current Liabilities</i>			
Employee related provisions	2.1(b)	47,661	34,782
Total Non-Current Liabilities		47,661	34,782
Total Liabilities		526,097	467,104
Net Assets		17,533	387,915
Equity			
Contributed equity		37,000	37,000
Accumulated surplus/(deficit)		(19,467)	350,915
Total Equity		17,533	387,915

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

Statement of Changes in Equity – 30 June 2023

	Contributed Equity \$	Accumulated Surplus/ (deficit) \$	Total Equity \$
Balance at 1 July 2021	37,000	644,601	681,601
Surplus/(deficit)	-	(293,686)	(293,686)
Other comprehensive income	-	-	-
Total comprehensive income for the period	-	(293,686)	(293,686)
Balance at 30 June 2022	37,000	350,915	387,915
Balance at 1 July 2022	37,000	350,915	387,915
Surplus/(deficit)	-	(370,382)	(370,382)
Other comprehensive income	-	-	-
Total comprehensive income for the period	-	(370,382)	(370,382)
Balance at 30 June 2023	37,000	(19,467)	17,533

Statement of Cash Flows – 30 June 2023

	Note	2023 \$	2022 \$
Cash Flows from State Government			
Service appropriation		2,384,000	2,254,000
Net cash provided by State Government		2,384,000	2,254,000
<i>Utilised as follows:</i>			
Cash Flows from Operating Activities			
<i>Payments</i>			
Employee benefits		(1,899,562)	(1,719,660)
Supplies and services		(556,904)	(515,289)
Accommodation		(201,222)	(201,222)
GST payments on purchases		(87,818)	(80,374)
Other payments		(134,362)	(98,128)
<i>Receipts</i>			
Commonwealth contributions		78,243	-
GST receipts on sales		191	45
GST receipts from taxation authority		85,303	73,722
Other receipts		1	450
Net cash provided by/(used in) operating activities		(2,716,130)	(2,540,456)
Cash Flows from Investing Activities			
<i>Payments</i>			
Purchase of non-current physical assets		-	-
<i>Receipts</i>			
Proceeds from sale of non-current physical assets		-	-
Net cash provided by/(used in) investing activities		-	-
Net increase/(decrease) in cash and cash equivalents		(332,130)	(286,456)
Cash and cash equivalents at the beginning of the period		770,675	1,057,131
Cash and cash equivalents at the end of the period	6.1	438,545	770,675

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

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 6 October 2023.

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**) – Simplified Disclosures
- 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.

Accounting for Goods and Services Tax (GST)

Income, expenses and assets are recognised net of the amount of goods and services tax (GST), except that the:

- (a) amount of GST incurred by the OIC as a purchaser that is not recoverable from the Australian Taxation Office (**ATO**) is recognised as part of an asset's cost of acquisition or as part of an item of expense; and
- (b) receivables and payables are stated with the amount of GST included.

Cash flows are included in the Statement of Cash Flows on a gross basis. However, the GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.

Comparative information

Except when an AAS permits or requires otherwise, comparative information is presented in respect of the previous period for all amounts reported in the financial statements. AASB 1060 provides relief from presenting comparatives for:

- Property, Plant and Equipment reconciliations;

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.

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

	2023 \$	2022 \$
Employee benefits	1,785,394	1,585,361
Superannuation – defined contribution plans	179,122	160,574
Total employee benefits expenses	1,964,516	1,745,935

Employee benefits include wages, salaries and social contributions, accrued and paid leave entitlements and paid sick leave, and non-monetary benefits recognised under accounting standards other than AASB16 (such as medical care, housing, cars and free or subsidised goods or services) for employees.

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

Note 2.1(b) Employee related provisions

	2023 \$	2022 \$
Current		
<i>Employee benefits provision</i>		
Annual leave	159,875	146,202
Long service leave	255,996	229,266
	415,871	375,468

<i>Other provisions</i>		
Employment on-costs	1,889	1,699
Total current employee related provisions	417,760	377,167
Non-current		
<i>Employee benefits provision</i>		
Long service leave	47,448	34,626
	47,448	34,626
<i>Other provisions</i>		
Employment on-costs	213	156
Total non-current employee related provisions	47,661	34,782
Total employee related provisions	465,421	411,949

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.

Annual leave liabilities are 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.

Long service leave liabilities are 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.

Employment on-costs involve 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) (apart from the unwinding of the discount (finance cost)) and are not included as part of the OIC's 'employee benefits expense'. The related liability is included in *Employment on-costs provision*.

	2023 \$	2022 \$
<i>Employment on-cost provision</i>		
Carrying amount at start of period	1,855	1,776
Additional/(reversals of) provisions recognised	247	79
Carrying amount at the end of the period	2,102	1,855

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

	2023 \$	2022 \$
<i>Supplies and services</i>		
Goods and supplies	37,286	87,712
Services and contracts	523,288	477,366
Total supplies and services expenses	560,574	565,078
<i>Accommodation expenses</i>		
Office rental	201,222	201,222
Total accommodation expense	201,222	201,222
<i>Other expenses</i>		
Communications	2,068	1,161
Printing and binding	2,731	6,606
Electricity	6,210	5,328
Insurance	16,871	14,374
Travel and accommodation	25,347	2,917
Professional development	17,234	14,159
Audit fees	34,200	27,900
Employment on-costs	247	81
Research	22,577	25,556
Other	6,886	46
Total other expenses	134,371	98,128
Total other expenditure	896,167	864,428

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.

Office rental is expensed as incurred as Memorandum of Understanding Agreements between the OIC and the Department of Finance for the leasing of office accommodation contain significant substitution rights.

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

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 income	3.2

Note 3.1 Income from State Government

	2023 \$	2022 \$
<i>Appropriation received during the period:</i>		
Service appropriations	2,110,000	1,983,000
Service appropriations - Other Statutes	280,000	279,000
Total appropriation received during period	2,390,000	2,262,000
<i>Resources received free of charge from other public sector entities during the period:</i>		
<u>Services received free of charge</u>		
Department of Finance - Building Management and Works	13,145	55,106
State Solicitor's Office	10,622	831
Total resources received from other public sector entities	23,767	55,937
Total income from State Government	2,413,767	2,317,937

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 is recognised as income equivalent to the fair value of the assets received, or the fair value of those services received that can be reliably determined and which would have been purchased if not donated.

Summary of consolidated account appropriations for the year ended 30 June 2023

	2023				
	Budget	Supple- mentary Funding	Revised Budget	Actual	Variance
<i>Delivery of services</i>	\$'000				
Item 12 Net amount appropriated to deliver services	2,031	79	2,110	2,110	-
<i>Amount Authorised by Other Statutes</i>					
Freedom of Information Act 1992	280	-	280	280	-
Total appropriations to deliver services	2,311	79	2,390	2,390	-

Supplementary funding was provided in 2022/23 for the 3% salary increase and cost of living payment as per the *Public Sector CSA Agreement 2022*.

Note 3.2 Commonwealth contributions

	2023 \$	2022 \$
Other income	11,374	-
Commonwealth funding for Indian Ocean Territories ^(a)	66,869	-
Total contributions	78,243	-

(a) The Indian Ocean Territories funding is paid as part of a service delivery arrangement with the Commonwealth for delivery of FOI services to the Indian Ocean Territories.

Grants and contributions are 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 or provide service potential. The section sets out both the key accounting policies and financial information about the performance of these assets:

	Notes	2023 \$	2022 \$
Property, plant and equipment	4.1	3,424	5,134
Total key assets		3,424	5,134

Note 4.1(a) Property, plant and equipment

	2023 \$	2022 \$
<i>Office equipment and computers</i>		
At cost	40,949	40,949
Accumulated depreciation	(37,525)	(35,815)
	3,424	5,134

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

1 July 2022

Gross carrying amount	40,949
Accumulated depreciation	(35,815)
Carrying amount at the start of the period	5,134
Additions	-
Depreciation	(1,710)
Carrying amount at the end of the period	3,424
Gross carrying amount	40,949
Accumulated depreciation	(37,525)

Initial recognition

Items of property, 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 property, 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

Plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

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.

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 to the extent that the impairment loss does not exceed the amount in the revaluation surplus for the class of asset.

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.

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

	2023 \$	2022 \$
<i>Current</i>		\$
Trade receivables	1,304	554
GST receivable	21,025	18,557
Total receivables	22,329	19,111

Trade receivables are initially recognised at their transaction price or, for those receivables that contain a significant

financing component, at fair value. The OIC holds the receivables with the objective to collect the contractual cash flows and therefore subsequently measured at amortised cost using the effective interest method, less an allowance for impairment.

The OIC recognises a loss allowance for expected credit losses (**ECLs**) on a receivable not held at fair value through profit or loss. The ECLs based on the difference between the contractual cash flows and the cash flows that the entity expects to receive, discounted at the original effective interest rate. Individual receivables are written off when the OIC has no reasonable expectations of recovering the contractual cash flows.

For trade receivables, OIC recognises an allowance for ECLs measured at the lifetime expected credit losses at each reporting date. The OIC has established a provision matrix that is based on its historical credit loss experience, adjusted for forward-looking factors specific to the debtors and the economic environment. There was no ECL expenses in this financial year.

Note 5.2 Amounts receivable for services (Holding Account)

	2023 \$	2022 \$
Non-current	58,000	52,000
Total amounts receivable for services at end of period	58,000	52,000

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 (ie there is no expected credit loss of the Holding Account).

Note 5.3 Other assets

	2023 \$	2022 \$
<i>Current</i>		
Prepayments	21,332	8,099
Total amounts receivable for services at end of period	21,332	8,099

Prepayments 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

	2023 \$	2022 \$
<i>Current</i>		
Trade payables	17,581	23,693
GST payable	191	40
Accrued salaries	42,904	31,422
Total amounts receivable for services at end of period	60,676	55,155

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 15 to 20 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.

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

	2023 \$	2022 \$
Cash and cash equivalents	400,052	738,868
Restricted cash and cash equivalents	38,493	31,807
Balance at the end of the period	438,545	770,675

Restricted cash and cash equivalents

	2023 \$	2022 \$
<i>Non-current</i>		
Accrued salaries suspense account ^(a)	38,493	31,807
	38,493	31,807

(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 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 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

The carrying amounts of each of the following categories of financial assets and financial liabilities at the end of the reporting period are:

	2023 \$	2022 \$
<i>Financial assets</i>		
Cash and cash equivalents	438,545	770,675
Financial assets at amortised cost ^(a)	58,000	52,000
Total financial assets	496,545	822,675
<i>Financial liabilities</i>		
Financial liabilities at amortised cost ^(b)	60,676	55,155
Total financial liabilities	60,676	55,155

(a) The amount of financial assets at amortised cost 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 the best estimate.

The OIC had no contingent liabilities or contingent assets as of 30 June 2023.

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
Correction of period errors/changes in accounting policies	8.2
Key management personnel	8.3
Related party transactions	8.4
Related bodies	8.5
Affiliated bodies	8.6
Special purpose accounts	8.7
Remuneration of auditors	8.8
Non-current assets held for sale	8.9
Supplementary financial information	8.10
Special category funding	8.11

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 or corrected any prior period errors that would impact on the reported results of the OIC.

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 (\$)	2023	2022
\$300,001 - \$350,000	1	1
	1	1
	2023 \$	2022 \$
Total compensation of senior officers	346,818	301,464

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 Cabinet Ministers and their close family members, and their controlled or jointly controlled entities;
- 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 (ie 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 Special purpose accounts

The OIC has no special purpose accounts.

Note 8.8 Remuneration of auditors

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

	2023 \$	2022 \$
Auditing of accounts, financial statements and performance indicators	30,250	27,000
	30,250	27,000

Note 8.9 Non-current assets held for sale

The OIC has no non-current assets held for sale.

Note 8.10 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) Forgiveness of debts

There were no debts waived during the previous or current year.

(d) Gifts of public property

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

Note 8.11 Special category funding

During the course of the year the OIC realised expenditure related to services provided to the Indian Ocean Territories. The services provided are pursuant to the service delivery agreement with the Commonwealth Government.

	2023 \$	2022 \$
Balance at the start of the period	-	-
Receipt from the Commonwealth	66,869	-
Expenditure	(50,471)	-
Balance at end of period	16,398	-

Note 9 Explanatory statement

This section explains variations in the financial performance of the OIC.

Notes

Explanatory Statement for Controlled Operations

[9.1](#)

9.1 Explanatory statement for controlled operations

This explanatory section explains variations in the financial performance of the OIC undertaking transactions under its own control, as represented by the primary financial statements.

All variances between annual estimates (original budget) and actual results for 2023, and between the actual results for 2023 and 2022 are shown below. Narratives are provided for key major variances which vary more than 10% from their comparative and that the variation is more than 1% of the:

- Total Cost of Services for the Statements of comprehensive income and Statement of cash flows (>\$28,108): and
- Total Assets for the Statement of financial position (>\$5,436).

(See following page)

9.1.1 Statement of comprehensive income variances

	Variance Note	Estimate 2023	Actual 2023	Actual 2022	Variance between estimate and actual	Variance between actual results for 2023 and 2022
Statement of Comprehensive Income						
<i>Expenses</i>						
Employee benefits expense	1, 2	1,645,000	1,964,516	1,745,935	319,516	218,581
Supplies and services	3	379,000	560,574	565,078	181,574	(4,504)
Accommodation expenses		228,000	201,222	201,222	(26,778)	0
Depreciation expense		6,000	1,710	1,710	(4,290)	(0)
Other expenses	4, 5	167,000	134,371	98,128	(32,629)	36,243
Total cost of services		2,425,000	2,862,393	2,612,073	437,393	250,320
<i>Income</i>						
Commonwealth grants and contributions	6, 7	-	78,243	-	78,243	78,243
Other income		4,000	1	450	(3,999)	(449)
Total Revenue		4,000	78,244	450	74,244	77,794
Total income other than income from State Government		4,000	78,244	450	74,244	77,794
Net cost of services		2,421,000	2,784,149	2,611,623	363,149	172,526
<u>Income from State Government</u>						
Service appropriation		2,311,000	2,390,000	2,262,000	79,000	128,000
Resources received free of charge	8, 9	110,000	23,767	55,937	(86,233)	(32,170)
Total income from State Government		2,421,000	2,413,767	2,317,937	(7,233)	95,830
Surplus/(deficit) for the period		-	(370,382)	(293,686)	(370,382)	(76,696)
Other comprehensive income						
Total other comprehensive income		-	-	-	-	-
Total comprehensive income for the period		-	(370,382)	(293,686)	(370,382)	(76,696)

Major Estimate and Actual (2023) Variance Narratives for the Income Statement

- 1) The variance in employee benefits is due to the 3% salary increase and cost of living payment, staff appointments and movements and an increase in leave liability during the year.
- 3) The variance to supplies and services is due to a higher use of consultants and labour hire during the year than had originally been estimated.
- 4) The estimate is a standard yearly estimate which is no longer reflective of current expenditure and will be revised.
- 6) 2022/23 is the first year the OIC entered into a service delivery agreement with the Commonwealth to provide services to the Indian Ocean Territories. Also includes contributions for paid parental leave during the year.
- 8) Resources received free of charge have reduced significantly and estimates will be reviewed.

Major Actual (2023) and Comparative (2022) Variance Narratives for the Income Statement

- 2) The variance in employee benefits is due to the 3% salary increase and cost of living payment, staff appointments and movements and an increase in leave liability during the year.
- 5) The increase in other expenses is primarily due to an increase in staff travel costs compared to the previous year. In particular: travel to the Indian Ocean Territories to discharge responsibilities under a service delivery arrangement that commenced on 1 July 2022; international travel to attend inter-jurisdictional events; and participation in a regional awareness program with other accountability agencies.
- 7) 2022/23 is the first year the OIC entered into a service delivery agreement with the Commonwealth to provide services to the Indian Ocean Territories. Also includes contributions for paid parental leave.
- 9) The resources received free of charge from the Department of Finance for leasing services reduced significantly from the previous year.

9.1.2 Statement of financial position variances

	Variance Note	Estimate 2023	Actual 2023	Actual 2022	Variance between estimate and actual	Variance between actual results for 2023 and 2022
Assets						
<u>Current Assets</u>						
Cash and cash equivalents	10, 11	994,000	400,052	738,868	(593,948)	(338,816)
Receivables	12	12,000	22,329	19,111	10,329	3,218
Other Current Assets	13	16,000	21,332	8,099	5,332	13,233
Total Current Assets		1,022,000	443,713	766,078	(578,287)	(322,365)
<u>Non-Current Assets</u>						
Restricted cash and cash equivalents	14, 15	25,000	38,493	31,807	13,493	6,686
Amounts receivable for services	16	60,000	58,000	52,000	(2,000)	6,000
Property, Plant and Equipment	17	29,000	3,424	5,134	(25,576)	(1,710)
Total non-current assets		114,000	99,917	88,941	(14,083)	10,976
Total assets		1,136,000	543,630	855,019	(592,370)	(311,389)
<u>Liabilities</u>						
<u>Current Liabilities</u>						
Payables	18, 19	38,000	60,676	55,155	22,676	5,521
Provisions	20, 21	372,000	417,760	377,167	45,760	40,593
Total Current Liabilities		410,000	478,436	432,322	68,436	46,114
<u>Non-Current Liabilities</u>						
Employee related provisions	22	45,000	47,661	34,782	2,661	12,879
Total Non-Current Liabilities		45,000	47,661	34,782	2,661	12,879
Total liabilities		455,000	526,097	467,104	71,097	58,993
Net assets/(liabilities)		681,000	17,533	387,915	(663,467)	(370,382)
<u>Equity</u>						
Contributed equity		37,000	37,000	37,000	-	-
Accumulated surplus/(deficiency)		644,000	(19,467)	350,915	663,467	(370,382)
Total equity		681,000	17,533	387,915	663,467	(370,382)

Major Estimate and Actual (2023) Variance Narratives for the Statement of Financial Position

- 10) The variance in cash and cash equivalents from the original budgeted amount is the result of the increase in the total cost of services in the income statement for 2021/22 and 2022/23.
- 12) The variance in receivables is due to higher than expected GST received.
- 14) The variance in the restricted cash and cash equivalents is due to the yearly increase in funds held in the suspense account for the purpose of meeting the 27th pay in a reporting period that occurs every 11th year.
- 17) The variance in property, plant and equipment is due to expected capital purchases not made during the year.
- 18) The variance in payables is due to the higher than estimated amount of trade payables and salary accrual.
- 20) The variance in provisions is due to an increase in current leave liabilities.

Major Actual (2023) and Comparative (2021) Variance Narratives for the Statement of Financial position

- 11) The variance in cash and cash equivalents is the result of the increase in the total cost of services in the income statement for 2021/22 and 2022/23.
- 13) The variance in other assets is due to an increase in prepayments made in the current year. The prepayments made in the previous year were unusually low.
- 15) The variance in the restricted cash and cash equivalents is due to the yearly increase in funds held in the suspense account for the purpose of meeting the 27th pay in a reporting period that occurs every 11th year.
- 16) Amounts receivable for services is a non-cash service appropriation for asset replacement. The variance is due to asset replacement not carried out as expected during the year.
- 19) The variance in payables is due to the salary accrual increasing following the increase in salaries during the period and an additional two days of salary accrual than the previous period.
- 21) The variance in provisions is due to an increase in current leave liabilities.
- 22) The variance in employee provisions is due to an increase from the previous year in the number of employees, the average salary and the average days of long service leave accrued.

9.1.3 Statement of cash flow variances

	Variance Note	Estimate 2023	Actual 2023	Actual 2022	Variance between estimate and actual	Variance between actual results for 2023 and 2022
Cash flows from State Government						
Service appropriation		2,303,000	2,384,000	2,254,000	(81,000)	130,000
Capital appropriation		-	-	-	-	-
Holding account drawdowns		-	-	-	-	-
Net cash provided by State Government		2,303,000	2,384,000	2,254,000	(81,000)	130,000
<i>Cash flows from operating activities</i>						
<u>Payments</u>						
Employee benefits	23 , 24	(1,645,000)	(1,899,562)	(1,719,660)	254,562	(179,902)
Services and supplies	25	(351,000)	(556,904)	(515,289)	205,904	(41,615)
Accommodation		(228,000)	(201,222)	(201,222)	(26,778)	(0)
GST payments on purchases	26	(30,000)	(87,818)	(80,374)	57,818	(7,444)
Other payments	27	(109,000)	(134,362)	(98,128)	25,362	(36,234)
<u>Receipts</u>						
Commonwealth grants and contributions	28 , 29	-	78,243	-	(78,243)	78,243
GST receipts on sales		-	191	45	(191)	146
GST receipts from taxation authority	30	48,000	85,303	73,722	(37,303)	11,581
Other revenue		4,000	1	450	3,999	(449)
Net cash provided by/(used in) operating activities		(2,311,000)	(2,716,130)	(2,540,456)	405,130	(175,674)
<i>Cash flows from investing activities</i>		-	-	-	-	-
Net cash provided by/(used in) investing activities		-	-	-	-	-
<i>Cash flows from financing activities</i>		-	-	-	-	-
Net cash provided by/(used in) financing activities		-	-	-	-	-
Net increase/(decrease) in cash and cash equivalents		(8,000)	(332,130)	(286,456)	324,130	(45,674)
Cash and cash equivalents at the beginning of the period		1,027,000	770,675	1,057,131	256,325	(286,456)
Cash and cash equivalents at the end of the period		1,019,000	438,545	770,675	580,455	(332,130)

Major Estimate and Actual (2023) Variance Narratives for the Cashflow Statement

- 23) The variance in employee benefits is due to the 3% salary increase and cost of living payment, and staff appointments and movements.
- 25) The variance to services and supplies is due to the greater use of consultants and labour hire during the year than had originally been estimated.
- 26) The variance in GST payments is a result of the increase in payables during the year.
- 28) 2022/23 is the first year the OIC entered into a service delivery agreement with the Commonwealth to provide services to the Indian Ocean Territories. Also includes contributions for paid parental leave.
- 30) The variance in GST receipts from the ATO is a result of the increase in expenditure during the year.

Major Actual (2023) and Comparative (2022) Variance Narratives for the Cashflow Statement

- 24) The variance in employee benefits is due to the 3% salary increase and cost of living payment, and staff appointments and movements.
- 27) The increase in other payments is primarily due to an increase in staff travel costs compared to the previous year. In particular: travel to the Indian Ocean Territories to discharge responsibilities under a service delivery arrangement that commenced on 1 July 2022; international travel to attend inter-jurisdictional events; and participation in a regional awareness program with other accountability agencies.
- 29) 2022/23 is the first year the OIC entered into a service delivery agreement with the Commonwealth to provide services to the Indian Ocean Territories. Also includes contributions for paid parental leave.

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](#).

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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- 1 [Applications received and dealt with by the Commissioner](#)
- 2 [Breakdown of valid external review applications made to the Commissioner](#)
- 3 [External review applications received by the Commissioner \(valid and invalid\)](#)
- 4 [Invalid applications for external review finalised](#)
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- 6 [Outcome of external reviews finalised \(by agency and category\)](#)
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- 8 [Published decisions](#)
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- 11 [Injury management targets](#)

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	156	139
External review applications – informal / invalid	23	25
Section 66(6) applications – no internal review	15	13
Section 66(4) applications – out of time	10	10
Section 13(5) applications – extension of time	2	2
Section 13(4) applications – reduction of time	2	2
section 13(7) applications - extension of time	1	1
Section 35(1) – waiver of requirement to consult	1	1
Section 48(3) – request for destruction certificate	0	0
TOTAL	210	193

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

Applicant group	#	Agency group	#
Individual citizen	118	Department (ex. Police & Health)	51
Company	19	Local Government	41
Not-for-profit	6	Police	18
Media	4	Health related	13
Prisoner	6	Board, Committee, Commission, Authority, Corporation	18
Member of Parliament	1	University	2
Government agency	2	Minister	10
		Other	3
TOTAL	156	TOTAL	156

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

AGENCY	Valid	Invalid	Total
State Agencies			
Acacia Prison	1	0	1
Communities, Department of	1	3	4
Curtin University	1	0	1
DevelopmentWA	1	0	1
Edith Cowan University	1	1	2
Education, Department of	6	0	6
EMHS - Corporate Office	1	0	1
EMHS - Royal Perth Hospital	1	0	1
Fire and Emergency Services, Department of	3	0	3
Forest Products Commission	1	0	1
Jobs, Tourism, Science and Innovation, Department of	1	0	1
Joondalup Health Campus	0	1	1
Justice, Department of	10	2	12
Legal Aid Western Australia	1	0	1
Local Government Standards Panel	2	0	2
Local Government, Sport and Cultural Industries, Department of	3	0	3

AGENCY	Valid	Invalid	Total
Main Roads Western Australia	6	3	9
Mental Health Commission	1	0	1
Mental Health Tribunal	0	1	1
Mines, Industry Regulation and Safety, Department of	5	0	5
NMHS - Corporate Office	1	0	1
NMHS - Mental Health	1	0	1
Pilbara Ports Authority	1	0	1
Planning, Lands and Heritage, Department of	2	1	3
Premier and Cabinet, Department of the	2	0	2
Primary Industries and Regional Development, Department of	1	0	1
Public Advocate, Office of the	1	0	1
Public Sector Commission	0	1	1
Public Transport Authority	3	0	3
Public Trustee Western Australia	2	0	2
SMHS - Fiona Stanley Fremantle Hospitals Group	5	0	5
SMHS - Rockingham Peel Group	1	0	1
State Solicitor's Office	2	0	2

OVERVIEW	OPERATIONAL PERFORMANCE	SIGNIFICANT ISSUES	DISCLOSURES & LEGAL COMPLIANCE	KEY PERFORMANCE INDICATORS	FINANCIAL STATEMENTS	OIC STATISTICS	AGENCY STATISTICS
AGENCY				Valid	Invalid	Total	
Tertiary Institutions Service Centre Ltd				2	0	2	
Transport, Department of				4	1	5	
WACHS - Great Southern				1	0	1	
WACHS - Midwest				1	0	1	
Water and Environmental Regulation, Department of				4	0	4	
Water Corporation				1	0	1	
Western Australia Police Force				18	1	19	
Western Australian Electoral Commission				1	0	1	
Western Australian Tourism Commission				1	0	1	
WorkCover Western Australia Authority (WorkCover WA)				1	0	1	
Sub-total: State Agencies				102	15	117	
Local Agencies							
Albany, City of				2	1	3	
Augusta-Margaret River, Shire of				2	0	2	
Bayswater, City of				3	0	3	
Belmont, City of				2	0	2	
Bridgetown-Greenbushes, Shire of				0	1	1	
Busselton, City of				2	0	2	
Cambridge, Town of				1	0	1	
Canning, City of				1	2	3	
Fremantle, City of				1	0	1	

AGENCY	Valid	Invalid	Total
Gosnells, City of	1	1	2
Joondalup, City of	4	0	4
Kalgoorlie-Boulder, City of	1	0	1
Mandurah, City of	0	1	1
Melville, City of	9	1	10
Mosman Park, Town of	1	0	1
Murray, Shire of	1	0	1
Nedlands, City of	2	0	2
Rockingham, City of	1	0	1
Swan, City of	1	0	1
Victoria Park, Town of	1	0	1
Vincent, City of	2	0	2
Wanneroo, City of	2	0	2
Waroona, Shire of	1	0	1
Sub-total: Local Agencies	41	7	48
Ministers			
Attorney General	2	0	2
Education and Training, Minister for	2	0	2
Electoral Affairs, Minister for	1	0	1
Forestry, Minister for	1	0	1
Lands, Minister for	1	0	1
Mines and Petroleum, Minister for	1	0	1

AGENCY	Valid	Invalid	Total
Police, Minister for	1	0	1
Regional Development, Minister for	1	0	1
<i>Sub-total: Ministers</i>	<i>10</i>	<i>0</i>	<i>10</i>
Status unconfirmed			
Agency unknown	0	1	1
Notre Dame University (status to be confirmed)	1	0	1
Western Australian Local Government Association (status to be confirmed)	2	0	2
<i>Sub-total: status unconfirmed</i>	<i>3</i>	<i>1</i>	<i>4</i>
TOTAL	156	23	179

Table 4: Invalid applications for external review finalised

AGENCY	#
State Agencies	
Communities, Department for	4
Edith Cowan University	1
Joondalup Health Campus	1
Justice, Department of	2
Main Roads Western Australia	3
Mental Health Tribunal	1

AGENCY	#
Planning, Lands and Heritage, Department of	1
Public Sector Commission	1
Transport, Department of	1
Western Australia Police Force	2
<i>Sub-total: State Agencies</i>	<i>17</i>
Local Governments	
Albany, City of	1
Bridgetown-Greenbushes, Shire of	1
Canning, City of	3
Gosnells, City of	1
Mandurah, City of	1
<i>Sub-total: State Agencies</i>	<i>7</i>
Status unconfirmed	
Agency is Unknown	1
<i>Sub-total: status unconfirmed</i>	<i>1</i>
TOTAL	25

Table 5: Other applications received

AGENCY	Out of time	No internal review	Reduction of time	Extension of time	Extension of time	Waiver	Total
	s.66(4)	s.66(6)	s.13(4)	s.13(5)	s.13(7)	s35(1)	
Busselton, City of	0	1	0	0	0	0	1
Curtin University	1	0	0	0	0	0	1
Edith Cowan University	0	1	0	0	0	0	1
Education, Department of	0	0	1	0	0	0	1
Fremantle, City of	0	1	0	0	0	0	1
Greater Geraldton, City of	0	1	0	0	0	0	1
Health Support Services	1	0	0	0	0	0	1
Joondalup, City of	0	1	0	0	0	0	1
Justice, Department of	0	0	0	0	1	0	1
Legal Aid Western Australia	0	1	0	0	0	0	1
Local Government, Sport and Cultural Industries, Department of	0	0	0	1	0	0	1
Main Roads Western Australia	1	0	1	0	0	0	2
Melville, City of	0	1	0	0	0	0	1
Metropolitan Cemeteries Board	1	0	0	0	0	0	1
Mines, Industry Regulation and Safety, Department of	3	0	0	0	0	1	4
Nedlands, City of	0	1	0	0	0	0	1
NMHS - Sir Charles Gairdner Hospital	1	0	0	1	0	0	2
Police, Minister for	1	0	0	0	0	0	1
Primary Industries and Regional Development, Department of	0	1	0	0	0	0	1

AGENCY	Out of time	No internal review	Reduction of time	Extension of time	Extension of time	Waiver	Total
	s.66(4)	s.66(6)	s.13(4)	s.13(5)	s.13(7)	s35(1)	
Public Transport Authority	0	2	0	0	0	0	2
SMHS - Fiona Stanley Hospital	0	1	0	0	0	0	1
WACHS - Midwest	1	0	0	0	0	0	1
Western Australia Police Force	0	2	0	0	0	0	2
Western Australian Local Government Association (status to be confirmed)	0	1	0	0	0	0	1
TOTAL	10	15	2	2	1	1	31

No applications under section 48(3) (request for destruction certificate) were received.

Table 6: 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	0	0	0	0	0	1	1
C&AHS - Perth Children's Hospital	1	0	0	0	0	0	1
Communities, Department of	2	1	0	0	0	0	3
Curtin University of Technology	4	0	0	0	0	0	4
DevelopmentWA	1	0	0	0	0	0	1
Edith Cowan University	2	0	0	0	1	0	3
Education, Department of	0	1	0	0	0	0	1
Electoral Commission, Western Australian	1	0	0	0	0	0	1
EMHS - Corporate Office	5	0	0	0	2	0	7
EMHS - Royal Perth Hospital	1	0	0	0	0	0	1
Finance, Department of	1	0	0	0	0	0	1
Health Support Services	1	0	0	0	0	1	2
Health, Department of	1	0	0	0	0	0	1
Institute of Sport, Western Australian	0	0	0	1	0	0	1
Justice, Department of	4	2	0	0	2	1	9
Legal Aid Western Australia	0	1	0	0	0	1	2
Local Government Standards Panel	0	0	0	0	1	0	1
Mines, Industry Regulation and Safety	9	0	0	0	0	0	9
NMHS - Mental Health	1	0	0	0	0	0	1
Pilbara Ports Authority	1	0	0	0	0	0	1

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			
Planning, Lands and Heritage	2	0	0	0	0	0	2
Police Force, Western Australia	17	0	0	0	1	1	19
Premier and Cabinet, Department of the	1	0	0	0	0	0	1
Public Advocate, Office of the	2	0	0	0	1	0	3
Public Transport Authority	0	0	0	0	1	0	1
Public Trustee Western Australia	1	0	0	0	0	0	1
SMAHS - Rockingham Peel Group	1	0	0	0	0	0	1
SMHS - Fiona Stanley Fremantle Hospitals Group	3	0	0	0	0	0	3
SMHS - Rockingham Peel Group	1	0	0	0	0	0	1
Tertiary Institutions Service Centre Ltd	1	0	0	0	1	0	2
Transport, Department of	1	0	0	0	1	0	2
University of Western Australia, The	1	0	1	0	0	0	2
WACHS - Great Southern	0	0	0	0	1	0	1
WACHS - Midwest	1	0	0	0		0	1
Water and Environmental Regulation, Department of	0	1	0	0	0	0	1
Water Corporation	2	0	0	0	0	1	3
Western Power	1	1	0	0	0	0	2
Sub-total: State Agencies	70	7	1	1	12	6	97
Percentage of agency group/percentage of total	72.2%	7.2%	1.0%	1.0%	12.4%	6.2%	69.8%

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			
Local Agencies							
Albany, City of	2	0	0	0	0	0	2
Bayswater, City of	1	0	0	0	0	0	1
Belmont, City of	1	0	0	0	1	0	2
Busselton, City of	1	0	0	0	0	0	1
Canning, City of	0	0	0	0	0	3	3
Cottesloe, Town of	1	0	0	0	0	0	1
Fremantle, City of	1	0	0	0	0	0	1
Gosnells, City of	0	0	0	0	1	1	2
Harvey, Shire of	1	0	0	0	0	0	1
Kalgoorlie-Boulder, City of	1	0	0	0	0	0	1
Kwinana, City of	1	0	0	0	0	0	1
Mandurah, City of	1	1	0	0	0	0	2
Melville, City of	3	2	0	0	0	3	8
Murray, Shire of	1	0	0	0	0	0	1
Nedlands, City of	1	0	0	0	0	0	1
South Perth, City of	1	0	0	0	0	0	1
Stirling, City of	0	0	0	2	0	0	2
Subiaco, City of	2	0	0	0	0	0	2
Swan, City of	0	0	1	0	0	0	1
Vincent, City of	0	0	0	0	0	1	1
Wanneroo, City of	1	0	0	0	0	0	1

OVERVIEW	OPERATIONAL PERFORMANCE	SIGNIFICANT ISSUES	DISCLOSURES & LEGAL COMPLIANCE	KEY PERFORMANCE INDICATORS	FINANCIAL STATEMENTS	OIC STATISTICS	AGENCY STATISTICS
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			
Sub-total: Local Agencies	20	3	1	2	2	8	36
Percentage of agency group/percentage of total	55.6%	8.3%	2.8%	5.6%	5.6%	22.2%	25.9%
Ministers							
Education and Training, Minister for	0	0	0	0	1	0	1
Emergency Services, Minister for	1	0	0	0	0	0	1
Mines and Petroleum, Minister for	1	0	0	0	0	0	1
Police, Minister for	1	0	0	0	0	0	1
Regional Development, Minister for	1	0	0	0	0	0	1
Sub-total: Ministers	4	0	0	0	1	0	5
Percentage of agency group/percentage of total	80.0%	0.0%	0.0%	0.0%	20.0%	0.0%	3.6%
Status to be confirmed							
Notre Dame University (status to be confirmed)	0	0	0	0	1	0	1
Sub-total: Status to be confirmed	0	0	0	0	1	0	1
Percentage of agency group/percentage of total	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.7%
TOTAL	94	10	1	3	17	14	139
TOTAL PERCENTAGE	67.6%	7.2%	0.7%	2.2%	12.2%	10.1%	100.0%

Table 7: Outcomes of other applications finalised

AGENCY	Reduction of time	Extension of time		Waiver	Out of time		No internal review			Total
	s.13(4)	s.13(5) and 13(7)		35(1)	s.66(4)		s.66(6)			
	Refused	Allowed	Refused	Refused	Allowed	Refused	Allowed	Refused	Withdrawn	
State Agencies										
Curtin University	0	0	0	0	0	1	0	0	0	1
Education, Department of	1	0	0	0	0	0	0	0	0	1
Justice, Department of	0	0	1	0	0	0	0	0	0	1
Local Government, Sport and Cultural Industries, Department of	0	1	0	0	0	0	0	0	0	1
Primary Industries and Regional Development, Department of	0	0	0	0	0	0	0	1	0	1
Edith Cowan University	0	0	0	0	0	0	0	1	0	1
Health Support Services	0	0	0	0	0	1	0	0	0	1
Legal Aid Western Australia	0	0	0	0	0	0	0	1	0	1
Metropolitan Cemeteries Board	0	0	0	0	0	1	0	0	0	1
SMHS - Fiona Stanley Hospital	0	0	0	0	0	0	0	1	0	1
WACHS - Midwest	0	0	0	0	1	0	0	0	0	1
Main Roads Western Australia	1	0	0	0	1	0	0	0	0	2
NMHS - Sir Charles Gairdner Hospital	0	0	1	0	0	1	0	0	0	2
Public Transport Authority	0	0	0	0	0	0	1	1	0	2
Western Australia Police Force	0	0	0	0	0	0	0	2	0	2
Mines, Industry Regulation and Safety, Department of	0	0	0	1	3	0	0	0	0	4
Sub-total: State Agencies	2	1	2	1	5	4	1	7	0	23

AGENCY	Reduction of time	Extension of time		Waiver	Out of time		No internal review			Total
	s.13(4)	s.13(5) and 13(7)		35(1)	s.66(4)		s.66(6)			
	Refused	Allowed	Refused	Refused	Allowed	Refused	Allowed	Refused	Withdrawn	
Fremantle, City of	0	0	0	0	0	0	0	1	0	1
Greater Geraldton, City of	0	0	0	0	0	0	0	0	1	1
Joondalup, City of	0	0	0	0	0	0	0	1	0	1
Melville, City of	0	0	0	0	0	0	0	1	0	1
Nedlands, City of	0	0	0	0	0	0	0	1	0	1
Sub-total: Local Agencies	0	0	0	0	0	0	0	4	1	5
Ministers										
Police, Minister for	0	0	0	0	0	1	0	0	0	1
Sub-total: Ministers	0	0	0	0	0	1	0	0	0	1
TOTAL	2	1	2	1	5	5	1	11	1	29

There were no requests for a destruction certificate

Table 8: Published decisions

Decision no.	Complainant	Agency	Decision date	Source	
D0092022	Rogers	Western Power	18/07/2022	AustLII	PDF
D0102022	D	Legal Aid Western Australia	09/08/2022	AustLII	PDF
D0112022	Ellis	Department of Justice	30/09/2022	AustLII	PDF
D0122022	Cantrell	City of Swan	04/10/2022	AustLII	PDF
D0132022	P	City of Stirling	22/12/2022	AustLII	PDF
D0142022	Vos	Western Australian Institute of Sport	22/12/2022	AustLII	PDF
D0012023	Brook	University of Western Australia	13/04/2023	AustLII	PDF
D0022023	M	Department of Communities	14/04/2023	AustLII	PDF
D0032023	Woodside Energy Ltd	Department of Water and Environmental Regulation	20/04/2023	AustLII	PDF
D0042023	T	Department of Education	11/05/2023	AustLII	PDF
D0052023	Y	City of Stirling	30/05/2023	AustLII	PDF
D0062023	Gent	City of Mandurah	28/06/2023	AustLII	PDF
D0072023	Lee	Department of Justice	30/06/2023	AustLII	PDF
D0082023	McLerie	City of Melville	30/06/2023	AustLII	PDF
D0092023	McLerie	City of Melville	30/06/2023	AustLII	PDF

Table 9: FOI training and presentations

Event		State government	Local government	Community	Total
Commissioner's Speaking Engagements					
20/10/2022	Western Australia's Accountability Agencies - Lecture to UWA Legal Internship students	0	0	97	97
24/01/2023	Government Accountability - Law and Practice (guest lecture for UWA Law School)	0	0	34	34
17/02/2023	Freedom of Information and Privacy Law Reform (Law Society of WA Seminar)	0	0	117	117
29/03/2023	RIMPA Perth symposium - update from the Office of the Information Commissioner	20	7	18	45
<i>Total: Commissioner's Speaking Engagements</i>		<i>20</i>	<i>7</i>	<i>266</i>	<i>293</i>
Webinars					
27/07/2022	FOI Wednesday Webinar - Skills for effective communication in the FOI Process	23	11	0	34
24/08/2022	FOI Wednesday Webinar - what happens on internal and external review	27	12	1	40
28/09/2022	FOI Wednesday Webinar - Open Government - Open Data in practice	17	7	0	24
23/11/2023	Wednesday webinar - Amendment of personal information	14	8	0	22
29/03/2023	FOI Wednesday Webinar: Third Party Case Studies	23	7	0	30
<i>Total: Webinars</i>		<i>104</i>	<i>45</i>	<i>1</i>	<i>150</i>
Agency Briefings					
31/08/2022	FOI briefings to City of Joondalup executive and for staff	40	0	0	40
3/10/2022	FOI briefing DMIRS decision-makers	22	0	0	22
14/03/2023	FOI briefing for Health Service Providers	30	0	0	30

OVERVIEW	OPERATIONAL PERFORMANCE	SIGNIFICANT ISSUES	DISCLOSURES & LEGAL COMPLIANCE	KEY PERFORMANCE INDICATORS	FINANCIAL STATEMENTS	OIC STATISTICS	AGENCY STATISTICS	
Event					State government	Local government	Community	Total
20/04/2023	FOI briefing to City of Nedlands				0	33	0	33
27/04/2023	FOI briefing to Dept of Jobs, Tourism, Science and Innovation				40	0	0	40
11/05/2023	Open by Design briefing to City of Nedlands				0	6	0	6
18/05/2023	All staff FOI briefing - Town of Port Hedland				0	32	0	32
18/05/2023	FOI Decisionmaking - Town of Port Hedland				0	4	0	4
Total: Agency Briefings					132	75	0	207
Other Engagements								
	Lightning Keynote - FST Government Summit - joint 20min presentation with Damian Shepherd, SRO				180	43	0	223
Total: other					180	43	0	223
Decision Writing Workshop								
13/04/2023	Decision Writing Workshop				13	5	0	18
Total Decision Writing Workshop					13	5	0	18
TOTAL EVENTS					449	175	267	891

Table 10: OIC online publications

Information sheets for members of the public
Amendment of personal information
Applying for documents during the COVID-19 pandemic
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?

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

OVERVIEW	OPERATIONAL PERFORMANCE	SIGNIFICANT ISSUES	DISCLOSURES & LEGAL COMPLIANCE	KEY PERFORMANCE INDICATORS	FINANCIAL STATEMENTS	OIC STATISTICS	AGENCY STATISTICS
Information about the external review process				Guides to Exemptions under the FOI Act			
Consulting with third parties during external review - guide for agencies				Clause 4(2) – Information that has a commercial value			
Decisions of the Information Commissioner – guide for access applicants				Clause 4(3) – Business, professional, commercial or financial affairs			
Decisions of the Information Commissioner – guide for agencies				Clause 6 – Deliberative processes of Government			
Decisions of the Information Commissioner – guide for third parties				Clause 7 – Legal professional privilege			
Documents that cannot be found or do not exist – guide for access applicants				Clause 8 – Confidential communications			
External review procedure – guide for parties				Other publications			
Exchange of submissions and procedural fairness - guide for parties				Information Statement Guidelines			
Preparing for a conciliation conference - guide for parties				OIC Newsletter			
Producing documents to the Information Commissioner – guide for agencies				Annual reports from 2001			
Understanding the conciliation process - guide for parties				Open by Design – the FOI Act and Information Release in WA NEW			
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'							

Table 11: Injury management targets

Measure	Actual		Results against target	
	2021/22	2022/23	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 disease incidence rate	0	0	Zero (0) or 10% reduction	
Lost time injury and severity rate	0	0	Zero (0) or 10% reduction	
Percentage of injured workers returned to work within: (i) 13 weeks: (ii) 26 weeks:	N/A N/A	N/A N/A	Greater than or equal to 80% Greater than or equal to 80%	
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 asks for 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.

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

Table 12: Valid access applications received by agencies

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

The requirements of a valid access application are set out under 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	350
Aqwest (Bunbury Water Corporation)	0
Burswood Park Board	0
Busselton Water	0
Chemistry Centre Western Australia	4
Children and Young People, Commissioner for	0
Construction Industry Long Service Leave Payments Board	1
Development WA	14
Economic Regulation Authority	1
Electoral Commission, Western Australian	1
Equal Opportunity Commission	3

AGENCY	#
Forest Products Commission	4
Fremantle Port Authority	7
Gold Corporation	5
Goldfields Esperance Development Commission	0
Government Employees Superannuation Board	4
Great Southern Development Commission	0
Greyhound Racing Association, Western Australian	0
Horizon Power	2
Insurance Commission of Western Australia	123
Kimberley Development Commission	0
Kimberley Ports Authority	1
Landgate	11
Legal Aid Western Australia	37
Lotteries Commission	1

AGENCY	#
Mental Health Advocacy Service	2
Mental Health Commission	1
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)	0
Peel Development Commission	0
Pilbara Development Commission	1
Pilbara Ports Authority	2
Public Advocate, Office of the	3
Public Sector Commission	5
Public Transport Authority	18
Public Trustee	5
Racing and Wagering Western Australia	4
Registrar, WA Industrial Relations Commission, Department of the	1
School Curriculum and Standards Authority	4
Small Business Development Corporation	0
South West Development Commission	0
Southern Ports Authority	0
Sports Centre Trust (VenuesWest)	2

AGENCY	#
State Administrative Tribunal	10
Synergy	5
Treasury Corporation, Western Australian	2
Trotting Association, Western Australian	0
Water Corporation	38
Western Power	33
Wheatbelt Development Commission	0
Workcover Western Australia Authority (Workcover WA)	190
<i>Sub-Total: Boards, Committees, Commissions, Authorities, Corporations</i>	<i>899</i>
Group: Departments (except Police and Health related agencies)	
Biodiversity, Conservation and Attractions, Department of	22
Central Regional TAFE	0
Communities, Department of	564
Education, Department of	284
Finance, Department of	19
Fire and Emergency Services, Department of	205
Health, Department of	56
Health Support Services	8
Jobs, Tourism, Science and Innovation, Department of	28
Justice, Department of	1,374

AGENCY	#
Local Government, Sport and Cultural Industries, Department of	75
Main Roads Western Australia	67
Mines, Industry Regulation and Safety, Department of	770
North Metropolitan TAFE	2
North Regional TAFE	0
Planning, Lands and Heritage, Department of	124
Premier and Cabinet, Department of the	66
Primary Industries and Regional Development, Department of	42
South Metropolitan TAFE	3
South Regional TAFE	0
Training and Workforce Development, Department of	21
Transport, Department of	316
Treasury, Department of	3
Water and Environmental Regulation, Department of	299
<i>Sub-Total: Departments</i>	<i>4,348</i>
Group: Health Related Agencies	
<i>East Metropolitan Health Services (EMHS)</i>	
Child & Adolescent Health Service (CAHS)	78
Chief Psychiatrist, Office of the	0
EMHS - Armadale Kalamunda Group	596

AGENCY	#
EMHS - Bentley Health Service	0
EMHS - Corporate Office	15
EMHS - Royal Perth Bentley Group	3,280
<i>Sub-total: EMHS</i>	<i>3,969</i>
<i>North Metropolitan Health Services (NMHS)</i>	
Health and Disability Services Complaints Office	2
Healthway	1
NMHS - Corporate Office	17
NMHS - Mental Health	356
NMHS - Osborne Park Hospital	63
NMHS - Sir Charles Gairdner Hospital	1,142
NMHS - Women and Newborn Health Service	281
PathWest Laboratory Medicine WA	37
<i>Sub-total: NMHS</i>	<i>1,899</i>
<i>South Metropolitan Health Services (SMHS)</i>	
SMHS - Fiona Stanley Fremantle Hospital Group	2,282
SMHS - Rockingham Peel Group	557
<i>Sub-total: SMHS</i>	<i>2,839</i>
<i>Western Australia Country Health Services (WACHS)</i>	
WACHS - Central Office	6
WACHS - Goldfields	323
WACHS - Great Southern	284

AGENCY	#
WACHS - Kimberley	640
WACHS - Midwest	437
WACHS - Pilbara	472
WACHS - South West	686
WACHS - Wheatbelt	493
<i>Sub-total: WACHS</i>	<i>3,341</i>
<i>Sub-Total: Health Related Agencies</i>	<i>12,048</i>
Group: Local Governments	
Albany, City of	13
Armadale, City of	26
Ashburton, Shire of	5
Augusta-Margaret River, Shire of	14
Bassendean, Town of	7
Bayswater, City of	26
Belmont, City of	12
Beverley, Shire of	0
Boddington, Shire of	1
Boyup Brook, Shire of	2
Bridgetown-Greenbushes, Shire of	3
Brookton, Shire of	0
Broome, Shire of	23
Broomehill-Tambellup, Shire of	0

AGENCY	#
Bruce Rock, Shire of	2
Bunbury, City of	13
Busselton, City of	21
Cambridge, Town of	26
Capel, Shire of	1
Carnamah, Shire of	0
Carnarvon, Shire of	1
Chittering, Shire of	2
Claremont, Town of	5
Cockburn, City of	22
Collie, Shire of	0
Coolgardie, Shire of	0
Coorow, Shire of	0
Corrigin, Shire of	0
Cottesloe, Town of	15
Cranbrook, Shire of	0
Cuballing, Shire of	1
Cue, Shire of	0
Cunderdin, Shire of	0
Dalwallinu, Shire of	2
Dandaragan, Shire of	0
Dardanup, Shire of	0

AGENCY	#
Denmark, Shire of	2
Derby-West Kimberley, Shire of	2
Donnybrook-Balingup, Shire of	0
Dowerin, Shire of	1
Dumbleyung, Shire of	0
Dundas, Shire of	2
East Pilbara, Shire of	3
Eastern Metropolitan Regional Council	1
Esperance, Shire of	4
Exmouth, Shire of	1
Fremantle, City of	14
Gingin, Shire of	13
Gnowangerup, Shire of	0
Goomalling, Shire of	1
Gosnells, City of	11
Greater Geraldton, City of	13
Harvey, Shire of	10
Jerramungup, Shire of	0
Joondalup, City of	80
Kalamunda, City of	29
Kalgoorlie-Boulder, City of	13
Karratha, City of	6

AGENCY	#
Katanning, Shire of	3
Kellerberrin, Shire of	0
Kent, Shire of	0
Kojonup, Shire of	2
Kondinin, Shire of	0
Koorda, Shire of	0
Kwinana, City of	3
Lake Grace, Shire of	0
Laverton, Shire of	0
Leonora, Shire of	0
Mandurah, City of	17
Manjimup, Shire of	1
Meekatharra, Shire of	1
Melville, City of	43
Merredin, Shire of	1
Mindarie Regional Council	0
Mingenew, Shire of	0
Mosman Park, Town of	10
Mount Magnet, Shire of	0
Mount Marshall, Shire of	0
Mukinbudin, Shire of	0
Mundaring, Shire of	13

AGENCY	#
Murchison, Shire of	0
Murray, Shire of	4
Nannup, Shire of	0
Narembreen, Shire of	0
Narrogin, Shire of	2
Nedlands, City of	13
Northam, Shire of	4
Northampton, Shire of	0
Peppermint Grove, Shire of	1
Perenjori, Shire of	0
Perth, City of	28
Pingelly, Shire of	0
Plantagenet, Shire of	2
Port Hedland, Town of	17
Quairading, Shire of	0
Ravensthorpe, Shire of	2
Resource Recovery Group	0
Rivers Regional Council	0
Rockingham, City of	24
Sandstone, Shire of	0
Serpentine-Jarradale, Shire of	10
Shark Bay, Shire of	0

AGENCY	#
South Perth, City of	10
Stirling, City of	58
Subiaco, City of	8
Swan, City of	54
Tamala Park Regional Council	0
Three Springs, Shire of	0
Toodyay, Shire of	8
Trayning, Shire of	0
Victoria Park, Town of	8
Vincent, City of	15
Wagin, Shire of	0
Wandering, Shire of	0
Wanneroo, City of	35
Waroona, Shire of	15
West Arthur, Shire of	0
Western Metropolitan Regional Council	0
Westonia, Shire of	0
Williams, Shire of	0
Wongan-Ballidu, Shire of	1
Wyalkatchem, Shire of	0
Wyndham-East Kimberley, Shire of	1
Yalgoo, Shire of	0

AGENCY	#
Yilgarn, Shire of	0
York, Shire of	1
<i>Sub-Total: Local Governments</i>	<i>864</i>
Group: Ministers	
Buti MLA, Hon Dr T A	2
Carey MLA, Hon J N	4
Cook MLA, Hon R	6
Dawson MLC, Hon S N	4
Ellery MLC, Hon S M	3
Jarvis MLC, Hon J	2
Johnston MLA, Hon W J	20
Kelly MLA, Hon D	1
MacTiernan MLA, Hon A	2
McGurk MLA, Hon S F	1
Michael MLA, Hon D R	2
Papalia MLA, Hon P	16
Punch MLA, Hon D T	4
Quigley MLA, Hon J R	7
Saffioti MLA, Hon R	6
Sanderson MLA, Hon A	14
Templeman MLA, Hon D A	1
Whitby MLA, Hon R R	2

AGENCY	#
Winton MLA, Hon S E	1
<i>Sub-Total: Ministers</i>	<i>98</i>
Group: WA Police	
Police Force, Western Australia	2,951
<i>Sub-Total: Police</i>	<i>2,951</i>
Group: Universities	
Curtin University	10
Edith Cowan University	13
Murdoch University	6
University of Western Australia, The	4
<i>Sub-Total: Universities</i>	<i>33</i>
TOTAL	21,241

Summary	#
Boards, Committees, Commissions, Authorities, Corporations	899
Departments (except Police and Health related agencies)	4,348
Health Related Agencies	12,048
Local Governments	864
Ministers	98
Police	2,951
Universities	33
TOTAL	21,241

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 the required data was not received in time for publication.

Table 13: 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 agency's resources.

Note that this table reflects decisions made by agencies. Those agencies that did not decide any access applications in 2022/23 are not listed.

In addition to matters finalised by decision of an agency, 1,752 applications were withdrawn by the applicant prior to a decision being made.

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Group: Boards, Committees, Commissions, Authorities, Corporations														
Acacia Prison	223	63.7%	120	34.3%	0	0.0%	0	0.0%	7	2.0%	0	0.0%	0	0.0%
Chemistry Centre Western Australia	0	0.0%	4	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Construction Industry Long Service Leave Payments Board	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Development WA	0	0.0%	10	76.9%	0	0.0%	0	0.0%	0	0.0%	1	7.7%	2	15.4%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Electoral Commission, Western Australian	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Equal Opportunity Commission	0	0.0%	2	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	50.0%
Forest Products Commission	0	0.0%	4	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Fremantle Port Authority	6	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Gold Corporation	0	0.0%	4	80.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	20.0%
Government Employees Superannuation Board	1	50.0%	1	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Horizon Power	1	50.0%	1	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Insurance Commission of Western Australia	1	0.8%	126	99.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Kimberley Ports Authority	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%
Legal Aid Western Australia	14	77.8%	1	5.6%	0	0.0%	1	5.6%	2	11.1%	0	0.0%	0	0.0%
Lotteries Commission	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Mental Health Advocacy Service	0	0.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Mental Health Commission	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Metropolitan Cemeteries Board	1	25.0%	0	0.0%	0	0.0%	0	0.0%	2	50.0%	0	0.0%	1	25.0%
Pilbara Development Commission	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Public Advocate, Office of the	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Public Sector Commission	0	0.0%	1	33.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	66.7%
Public Transport Authority	2	11.1%	16	88.9%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Public Trustee	0	0.0%	4	80.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	20.0%
Racing and Wagering Western Australia	2	66.7%	1	33.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Registrar, WA Industrial Relations Commission, Department of the	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
School Curriculum and Standards Authority	0	0.0%	4	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Sports Centre Trust (VenuesWest)	0	0.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
State Administrative Tribunal	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	10	100.0%
Synergy	4	80.0%	1	20.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Water Corporation	10	29.4%	22	64.7%	0	0.0%	0	0.0%	2	5.9%	0	0.0%	0	0.0%
Western Power	3	9.4%	23	71.9%	0	0.0%	0	0.0%	4	12.5%	1	3.1%	1	3.1%
Workcover Western Australia Authority (Workcover WA)	115	65.0%	19	10.7%	0	0.0%	0	0.0%	38	21.5%	0	0.0%	5	2.8%
Landgate	1	10.0%	9	90.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Treasury Corporation, Western Australian	1	50.0%	1	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Pilbara Ports Authority	1	25.0%	1	25.0%	0	0.0%	0	0.0%	1	25.0%	0	0.0%	1	25.0%
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<i>386</i>	<i>45.0%</i>	<i>386</i>	<i>45.0%</i>	<i>0</i>	<i>0.0%</i>	<i>1</i>	<i>0.1%</i>	<i>56</i>	<i>6.5%</i>	<i>2</i>	<i>0.2%</i>	<i>27</i>	<i>3.1%</i>
Group: Departments (except Police and Health related agencies)														
Biodiversity, Conservation and Attractions, Department of	5	27.8%	10	55.6%	0	0.0%	0	0.0%	1	5.6%	1	5.6%	1	5.6%
Communities, Department of	42	8.1%	375	72.0%	0	0.0%	1	0.2%	76	14.6%	1	0.2%	26	5.0%
Education, Department of	173	66.8%	31	12.0%	0	0.0%	1	0.4%	42	16.2%	3	1.2%	9	3.5%
Finance, Department of	6	42.9%	6	42.9%	0	0.0%	0	0.0%	2	14.3%	0	0.0%	0	0.0%
Fire and Emergency Services, Department of	40	23.3%	114	66.3%	1	0.6%	0	0.0%	5	2.9%	0	0.0%	12	7.0%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Health, Department of	23	52.3%	12	27.3%	0	0.0%	0	0.0%	6	13.6%	0	0.0%	3	6.8%
Health Support Services	0	0.0%	3	75.0%	0	0.0%	0	0.0%	0	0.0%	1	25.0%	0	0.0%
Jobs, Tourism, Science and Innovation, Department of	1	4.2%	18	75.0%	0	0.0%	0	0.0%	4	16.7%	0	0.0%	1	4.2%
Justice, Department of	177	14.0%	961	76.1%	0	0.0%	2	0.2%	3	0.2%	5	0.4%	114	9.0%
Local Government, Sport and Cultural Industries, Department of	11	30.6%	11	30.6%	0	0.0%	0	0.0%	10	27.8%	2	5.6%	2	5.6%
Main Roads Western Australia	17	8.3%	29	14.2%	0	0.0%	0	0.0%	153	75.0%	1	0.5%	4	2.0%
Mines, Industry Regulation and Safety, Department of	223	58.4%	111	29.1%	2	0.5%	0	0.0%	0	0.0%	0	0.0%	46	12.0%
North Metropolitan TAFE	1	50.0%	1	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
North Regional TAFE	0	0.0%	0	0.0%	0	0.0%	0	0.0%	21	100.0%	0	0.0%	0	0.0%
Planning, Lands and Heritage, Department of	4	4.0%	75	75.0%	1	1.0%	0	0.0%	18	18.0%	1	1.0%	1	1.0%
Premier and Cabinet, Department of the	9	22.0%	15	36.6%	1	2.4%	0	0.0%	10	24.4%	6	14.6%	0	0.0%
Primary Industries and Regional Development, Department of	7	33.3%	12	57.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	9.5%
South Metropolitan TAFE	3	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
South Regional TAFE	0	0.0%	0	0.0%	0	0.0%	0	0.0%	5	100.0%	0	0.0%	0	0.0%
Training and Workforce Development, Department of	2	4.7%	15	34.9%	0	0.0%	0	0.0%	24	55.8%	0	0.0%	2	4.7%
Transport, Department of	105	58.3%	61	33.9%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	14	7.8%
Treasury, Department of	1	0.8%	0	0.0%	0	0.0%	0	0.0%	125	98.4%	0	0.0%	1	0.8%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Water and Environmental Regulation, Department of	88	44.9%	41	20.9%	0	0.0%	0	0.0%	53	27.0%	8	4.1%	6	3.1%
<i>Sub-total: Departments (except Police and Health related agencies)</i>	<i>938</i>	<i>25.5%</i>	<i>1,901</i>	<i>51.7%</i>	<i>5</i>	<i>0.1%</i>	<i>4</i>	<i>0.1%</i>	<i>558</i>	<i>15.2%</i>	<i>29</i>	<i>0.8%</i>	<i>244</i>	<i>6.6%</i>
Group: Health Related Agencies														
Child & Adolescent Health Service (CAHS)	0	0.0%	50	76.9%	0	0.0%	3	4.6%	2	3.1%	4	6.2%	6	9.2%
EMHS - Armadale Kalamunda Group	21	3.7%	542	94.8%	0	0.0%	0	0.0%	6	1.0%	0	0.0%	3	0.5%
EMHS - Corporate Office	7	77.8%	1	11.1%	0	0.0%	0	0.0%	0	0.0%	1	11.1%	0	0.0%
EMHS - Royal Perth Bentley Group	2,028	62.5%	1,034	31.9%	1	0.0%	0	0.0%	171	5.3%	1	0.0%	9	0.3%
Health and Disability Services Complaints Office	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	100.0%
Healthway	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%	0	0.0%	0	0.0%
NMHS - Corporate Office	9	52.9%	6	35.3%	0	0.0%	0	0.0%	1	5.9%	1	5.9%	0	0.0%
NMHS - Mental Health	162	47.4%	162	47.4%	0	0.0%	2	0.6%	15	4.4%	0	0.0%	1	0.3%
NMHS - Osborne Park Hospital	63	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
NMHS - Sir Charles Gairdner Hospital	1,007	79.2%	173	13.6%	9	0.7%	0	0.0%	69	5.4%	1	0.1%	12	0.9%
NMHS - Women and Newborn Health Service	244	95.3%	0	0.0%	1	0.4%	0	0.0%	10	3.9%	1	0.4%	0	0.0%
PathWest Laboratory Medicine WA	11	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
SMHS - Fiona Stanley Fremantle Hospital Group	1,971	95.3%	5	0.2%	0	0.0%	1	0.0%	87	4.2%	1	0.0%	4	0.2%
SMHS - Rockingham Peel Group	470	85.3%	55	10.0%	1	0.2%	0	0.0%	24	4.4%	0	0.0%	1	0.2%
WACHS - Central Office	0	0.0%	6	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
WACHS - Goldfields	233	95.5%	0	0.0%	1	0.4%	0	0.0%	10	4.1%	0	0.0%	0	0.0%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
WACHS - Great Southern	256	95.5%	0	0.0%	0	0.0%	2	0.7%	10	3.7%	0	0.0%	0	0.0%
WACHS - Kimberley	30	5.4%	521	94.6%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
WACHS - Midwest	16	3.9%	357	86.9%	0	0.0%	0	0.0%	38	9.2%	0	0.0%	0	0.0%
WACHS - Pilbara	348	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
WACHS - South West	433	69.4%	175	28.0%	0	0.0%	0	0.0%	16	2.6%	0	0.0%	0	0.0%
WACHS - Wheatbelt	77	16.2%	381	80.0%	0	0.0%	0	0.0%	18	3.8%	0	0.0%	0	0.0%
<i>Sub-total: Health Related Agencies</i>	<i>7,386</i>	<i>64.8%</i>	<i>3,468</i>	<i>30.4%</i>	<i>13</i>	<i>0.1%</i>	<i>8</i>	<i>0.1%</i>	<i>478</i>	<i>4.2%</i>	<i>10</i>	<i>0.1%</i>	<i>38</i>	<i>0.3%</i>
Group: Local Governments														
Albany, City of	3	25.0%	8	66.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	8.3%
Armadale, City of	2	9.5%	18	85.7%	0	0.0%	0	0.0%	1	4.8%	0	0.0%	0	0.0%
Ashburton, Shire of	5	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Augusta-Margaret River, Shire of	0	0.0%	9	90.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	10.0%
Bassendean, Town of	1	25.0%	1	25.0%	1	25.0%	0	0.0%	1	25.0%	0	0.0%	0	0.0%
Bayswater, City of	7	28.0%	12	48.0%	0	0.0%	0	0.0%	6	24.0%	0	0.0%	0	0.0%
Belmont, City of	0	0.0%	11	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Boddington, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Boyup Brook, Shire of	0	0.0%	1	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	50.0%
Bridgetown-Greenbushes, Shire of	1	50.0%	0	0.0%	0	0.0%	0	0.0%	1	50.0%	0	0.0%	0	0.0%
Broome, Shire of	4	25.0%	10	62.5%	0	0.0%	0	0.0%	1	6.3%	0	0.0%	1	6.3%
Bruce Rock, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Bunbury, City of	6	46.2%	6	46.2%	0	0.0%	0	0.0%	1	7.7%	0	0.0%	0	0.0%
Busselton, City of	3	15.8%	9	47.4%	0	0.0%	0	0.0%	4	21.1%	0	0.0%	3	15.8%
Cambridge, Town of	1	4.0%	19	76.0%	0	0.0%	0	0.0%	1	4.0%	2	8.0%	2	8.0%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Capel, Shire of	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Carnarvon, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Chittering, Shire of	0	0.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Claremont, Town of	0	0.0%	4	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Cockburn, City of	5	22.7%	13	59.1%	0	0.0%	0	0.0%	4	18.2%	0	0.0%	0	0.0%
Cottesloe, Town of	0	0.0%	4	66.7%	0	0.0%	0	0.0%	1	16.7%	0	0.0%	1	16.7%
Cranbrook, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Cuballing, Shire of	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%
Dalwallinu, Shire of	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Denmark, Shire of	0	0.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Derby-West Kimberley, Shire of	1	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	50.0%
Dowerin, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Dundas, Shire of	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
East Pilbara, Shire of	2	100.0%	0	0.0%	0	0.0%	0	0.0%	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%	0	0.0%	0	0.0%	0	0.0%
Esperance, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Exmouth, Shire of	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Fremantle, City of	2	20.0%	7	70.0%	0	0.0%	0	0.0%	1	10.0%	0	0.0%	0	0.0%
Gingin, Shire of	1	8.3%	11	91.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Goomalling, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Gosnells, City of	0	0.0%	11	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Greater Geraldton, City of	2	15.4%	5	38.5%	0	0.0%	0	0.0%	5	38.5%	0	0.0%	1	7.7%
Harvey, Shire of	0	0.0%	7	77.8%	0	0.0%	0	0.0%	2	22.2%	0	0.0%	0	0.0%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Joondalup, City of	4	5.6%	63	88.7%	0	0.0%	0	0.0%	2	2.8%	1	1.4%	1	1.4%
Kalamunda, City of	2	6.9%	25	86.2%	0	0.0%	0	0.0%	2	6.9%	0	0.0%	0	0.0%
Kalgoorlie-Boulder, City of	3	23.1%	9	69.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	7.7%
Karratha, City of	2	66.7%	1	33.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Katanning, Shire of	3	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Mandurah, City of	0	0.0%	13	86.7%	0	0.0%	0	0.0%	1	6.7%	0	0.0%	1	6.7%
Manjimup, Shire of	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%
Meekatharra, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Melville, City of	2	4.0%	37	74.0%	0	0.0%	0	0.0%	6	12.0%	0	0.0%	5	10.0%
Merredin, Shire of	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Mosman Park, Town of	0	0.0%	8	80.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	20.0%
Mundaring, Shire of	0	0.0%	12	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Murray, Shire of	0	0.0%	3	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Narrogin, Shire of	1	50.0%	1	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Nedlands, City of	2	15.4%	6	46.2%	4	30.8%	0	0.0%	0	0.0%	1	7.7%	0	0.0%
Northam, Shire of	2	50.0%	1	25.0%	0	0.0%	0	0.0%	1	25.0%	0	0.0%	0	0.0%
Peppermint Grove, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Perth, City of	0	0.0%	22	88.0%	0	0.0%	0	0.0%	1	4.0%	2	8.0%	0	0.0%
Plantagenet, Shire of	0	0.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Port Hedland, Town of	0	0.0%	7	77.8%	0	0.0%	0	0.0%	2	22.2%	0	0.0%	0	0.0%
Ravensthorpe, Shire of	1	50.0%	1	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Rockingham, City of	1	5.6%	13	72.2%	0	0.0%	0	0.0%	3	16.7%	0	0.0%	1	5.6%
Serpentine-Jarradale, Shire of	0	0.0%	9	90.0%	0	0.0%	0	0.0%	1	10.0%	0	0.0%	0	0.0%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
South Perth, City of	0	0.0%	5	50.0%	0	0.0%	0	0.0%	2	20.0%	1	10.0%	2	20.0%
Stirling, City of	0	0.0%	51	94.4%	0	0.0%	0	0.0%	3	5.6%	0	0.0%	0	0.0%
Subiaco, City of	1	14.3%	4	57.1%	0	0.0%	0	0.0%	0	0.0%	1	14.3%	1	14.3%
Swan, City of	3	5.7%	46	86.8%	1	1.9%	0	0.0%	2	3.8%	0	0.0%	1	1.9%
Toodyay, Shire of	1	14.3%	5	71.4%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	14.3%
Victoria Park, Town of	3	37.5%	5	62.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Vincent, City of	1	7.7%	11	84.6%	0	0.0%	0	0.0%	1	7.7%	0	0.0%	0	0.0%
Wanneroo, City of	3	8.8%	30	88.2%	0	0.0%	0	0.0%	1	2.9%	0	0.0%	0	0.0%
Waroona, Shire of	0	0.0%	3	42.9%	0	0.0%	0	0.0%	1	14.3%	1	14.3%	2	28.6%
Wongan-Ballidu, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Wyndham-East Kimberley, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
York, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<i>Sub-total: Local Governments</i>	<i>98</i>	<i>12.7%</i>	<i>566</i>	<i>73.6%</i>	<i>6</i>	<i>0.8%</i>	<i>0</i>	<i>0.0%</i>	<i>58</i>	<i>7.5%</i>	<i>9</i>	<i>1.2%</i>	<i>32</i>	<i>4.2%</i>
Group: Ministers														
Buti MLA, Hon Dr T A	1	50.0%	1	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Carey MLA, Hon J N	1	20.0%	4	80.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Cook MLA, Hon R	0	0.0%	3	42.9%	0	0.0%	0	0.0%	4	57.1%	0	0.0%	0	0.0%
Dawson MLC, Hon S N	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	75.0%	1	25.0%	0	0.0%
Ellery MLC, Hon S M	1	25.0%	0	0.0%	0	0.0%	0	0.0%	3	75.0%	0	0.0%	0	0.0%
Jarvis MLC, Hon J	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Johnston MLA, Hon W J	2	14.3%	8	57.1%	1	7.1%	0	0.0%	2	14.3%	1	7.1%	0	0.0%
Kelly MLA, Hon D	0	0.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
MacTiernan MLA, Hon A	0	0.0%	1	50.0%	0	0.0%	0	0.0%	1	50.0%	0	0.0%	0	0.0%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
McGurk MLA, Hon S F	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Papalia MLA, Hon P	3	33.3%	1	11.1%	0	0.0%	0	0.0%	5	55.6%	0	0.0%	0	0.0%
Punch MLA, Hon D T	1	25.0%	3	75.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Quigley MLA, Hon J R	2	28.6%	2	28.6%	0	0.0%	0	0.0%	1	14.3%	0	0.0%	2	28.6%
Saffioti MLA, Hon R	2	50.0%	2	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Sanderson MLA, Hon A	4	40.0%	5	50.0%	0	0.0%	0	0.0%	1	10.0%	0	0.0%	0	0.0%
Templeman MLA, Hon D A	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%	0	0.0%	0	0.0%
Whitby MLA, Hon R R	1	33.3%	0	0.0%	1	33.3%	0	0.0%	1	33.3%	0	0.0%	0	0.0%
Winton MLA, Hon S E	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<i>Sub-total: Ministers</i>	<i>20</i>	<i>24.4%</i>	<i>34</i>	<i>41.5%</i>	<i>2</i>	<i>2.4%</i>	<i>0</i>	<i>0.0%</i>	<i>22</i>	<i>26.8%</i>	<i>2</i>	<i>2.4%</i>	<i>2</i>	<i>2.4%</i>
Group: Police														
Police Force, Western Australia	574	26.3%	627	28.8%	0	0.0%	2	0.1%	60	2.8%	25	1.1%	891	40.9%
<i>Sub-total: Police</i>	<i>574</i>	<i>26.3%</i>	<i>627</i>	<i>28.8%</i>	<i>0</i>	<i>0.0%</i>	<i>2</i>	<i>0.1%</i>	<i>60</i>	<i>2.8%</i>	<i>25</i>	<i>1.1%</i>	<i>891</i>	<i>40.9%</i>
Group: Universities														
Curtin University of Technology	0	0.0%	8	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Edith Cowan University	0	0.0%	10	83.3%	0	0.0%	0	0.0%	1	8.3%	1	8.3%	0	0.0%
Murdoch University	2	28.6%	4	57.1%	0	0.0%	0	0.0%	0	0.0%	1	14.3%	0	0.0%
University of Western Australia, The	0	0.0%	3	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<i>Sub-total: Universities</i>	<i>2</i>	<i>6.7%</i>	<i>25</i>	<i>83.3%</i>	<i>0</i>	<i>0.0%</i>	<i>0</i>	<i>0.0%</i>	<i>1</i>	<i>3.3%</i>	<i>2</i>	<i>6.7%</i>	<i>0</i>	<i>0.0%</i>
TOTAL	9,404	49.5%	7,007	36.9%	26	0.1%	15	0.1%	1,233	6.5%	79	0.4%	1,234	6.5%
GRAND TOTAL	18,998													

SUMMARY Agency Groups	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Boards, Committees, Commissions, Authorities, Corporations	386	45.0%	386	45.0%	0	0.0%	1	0.1%	56	6.5%	2	0.2%	27	3.1%
Departments (except Police and Health related agencies)	938	25.5%	1,901	51.7%	5	0.1%	4	0.1%	558	15.2%	29	0.8%	244	6.6%
Health-related Agencies	7,386	64.8%	3,468	30.4%	13	0.1%	8	0.1%	478	4.2%	10	0.1%	38	0.3%
Local Governments	98	12.7%	566	73.6%	6	0.8%	0	0.0%	58	7.5%	9	1.2%	32	4.2%
Ministers	20	24.4%	34	41.5%	2	2.4%	0	0.0%	22	26.8%	2	2.4%	2	2.4%
Police	574	26.3%	627	28.8%	0	0.0%	2	0.1%	60	2.8%	25	1.1%	891	40.9%
Universities	2	6.7%	25	83.3%	0	0	0	0.0%	1	3.3%	2	6.7%	0	0.0%
TOTAL	9,404	49.5%	7,007	36.9%	26	0.1%	15	0.1%	1,233	6.5%	79	0.4%	1,234	6.5%
GRAND TOTAL	18,998													

Table 14: Number of times exemption clauses were used by agencies

This table shows those agencies that claimed exemptions to refuse 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																
Construction Industry Long Service Leave Payments Board	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
Development WA	3	0	10	4	0	0	2	0	3	0	3	0	0	0	0	0
Electoral Commission, Western Australian	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0
Equal Opportunity Commission	0	0	0	0	0	1	1	2	0	0	0	0	0	0	2	0
Forest Products Commission	0	0	4	1	0	0	0	1	0	0	0	0	0	0	0	0
Gold Corporation	0	0	5	1	0	0	2	1	2	0	1	1	0	0	0	2
Government Employees Superannuation Board	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Horizon Power	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Insurance Commission of Western Australia	0	0	126	2	0	0	111	11	0	0	0	0	0	0	0	0
Kimberley Ports Authority	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0
Lotteries Commission	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Metropolitan Cemeteries Board	0	0	2	0	0	0	0	0	1	0	0	0	0	0	0	0
Pilbara Ports Authority	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Public Sector Commission	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Transport Authority	0	0	12	4	0	1	1	1	3	0	0	0	0	0	0	0
Racing and Wagering Western Australia	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
Synergy	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Water Corporation	0	0	14	2	0	0	2	1	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
Western Power	0	0	23	0	0	0	0	3	0	0	0	0	0	0	0	0
Workcover Western Australia Authority (Workcover WA)	0	0	19	0	0	0	2	1	0	0	0	0	0	0	0	0
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<i>3</i>	<i>0</i>	<i>224</i>	<i>17</i>	<i>0</i>	<i>2</i>	<i>121</i>	<i>22</i>	<i>10</i>	<i>0</i>	<i>5</i>	<i>1</i>	<i>0</i>	<i>0</i>	<i>2</i>	<i>2</i>
Group: Departments, (except Police and Health related agencies)																
Biodiversity, Conservation and Attractions, Department of	1	0	6	2	0	1	3	2	0	0	0	0	0	0	0	0
Communities, Department of	0	0	398	1	0	44	3	6	12	0	0	1	6	3	154	0
Education, Department of	0	0	33	0	0	1	2	2	1	0	0	0	2	0	1	0
Finance, Department of	2	0	0	3	0	2	1	1	0	0	5	0	0	0	0	0
Fire and Emergency Services, Department of	3	0	106	19	0	8	3	2	2	0	2	3	0	0	0	0
Health, Department of	1	1	9	2	0	2	0	3	0	0	1	0	3	0	0	0
Health Support Services	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
Jobs, Tourism, Science and Innovation, Department of	0	0	19	6	0	0	4	2	2	0	1	0	0	0	0	0
Justice, Department of	0	1	970	0	0	72	7	0	4	0	0	166	0	0	5	0
Local Government, Sport and Cultural Industries, Department of	0	0	9	0	0	3	1	4	2	0	0	0	0	0	0	0
Main Roads Western Australia	0	0	29	2	0	0	0	0	5	0	6	1	0	0	0	0
Mines, Industry Regulation and Safety, Department of	2	0	76	44	0	13	1	23	4	0	1	0	1	0	0	0
North Metropolitan TAFE	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0
Planning, Lands and Heritage, Department of	3	0	15	5	0	2	0	1	1	0	1	0	1	0	0	0
Premier and Cabinet, Department of the	6	0	12	1	0	1	2	1	0	0	0	0	4	0	0	0

OVERVIEW	OPERATIONAL PERFORMANCE	SIGNIFICANT ISSUES	DISCLOSURES & LEGAL COMPLIANCE	KEY PERFORMANCE INDICATORS	FINANCIAL STATEMENTS	OIC STATISTICS	AGENCY STATISTICS									
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
Primary Industries and Regional Development, Department of	2	0	12	3	0	0	1	0	1	0	0	0	1	0	1	0
Training and Workforce Development, Department of	0	0	17	0	0	0	0	0	0	0	0	0	0	0	0	0
Transport, Department of	1	0	60	4	0	3	1	0	0	0	1	0	0	0	0	0
Treasury, Department of	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0
Water and Environmental Regulation, Department of	4	0	15	10	0	6	6	3	20	0	0	0	2	0	0	0
Sub-total: Departments (Except Police and Health related agencies)	25	2	1,787	103	0	159	35	50	56	0	18	171	20	3	161	0
Group: Health Related Agencies																
Child & Adolescent Health Service (CAHS)	0	0	59	1	0	1	2	0	0	0	0	0	0	0	0	0
EMHS - Armadale Kalamunda Group	0	0	558	0	0	0	0	0	0	0	0	0	0	0	0	0
EMHS - Corporate Office	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
EMHS - Royal Perth Bentley Group	0	1	1,032	6	0	1	0	0	1	0	0	0	0	0	0	0
Health and Disability Services Complaints Office	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
NMHS - Corporate Office	1	0	6	0	0	2	0	0	1	0	0	0	0	0	1	0
NMHS - Mental Health	0	0	162	0	0	0	0	0	1	0	0	0	0	0	0	0
NMHS - Sir Charles Gairdner Hospital	0	1	182	0	0	1	0	0	0	0	0	0	0	0	0	0
SMHS - Fiona Stanley Fremantle Hospital Group	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
SMHS - Rockingham Peel Group	1	0	56	0	0	0	0	0	21	0	0	0	0	0	0	0
WACHS - Central Office	0	0	5	0	0	0	2	0	1	0	0	0	0	0	0	0
WACHS - South West	0	0	176	0	0	0	0	0	0	0	0	0	0	0	0	0
Sub-total: Health Related Agencies	2	2	2,243	7	0	5	4	0	25	0	0	0	0	0	3	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
Group: Local Governments																
Albany, City of	0	0	3	1	0	0	0	1	0	0	0	0	0	0	0	0
Armadale, City of	0	0	17	0	0	2	0	2	0	0	0	0	0	0	0	0
Augusta-Margaret River, Shire of	0	0	11	0	0	1	2	1	3	0	0	2	0	0	1	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	8	1	0	2	0	1	1	0	0	0	0	0	0	0
Belmont, City of	0	0	9	5	0	0	0	1	0	0	0	0	0	0	0	0
Broome, Shire of	0	0	7	0	0	0	2	0	0	0	0	0	0	0	0	0
Bunbury, City of	0	0	5	2	0	0	0	0	0	0	0	0	0	0	0	0
Busselton, City of	0	0	13	0	0	0	0	0	1	0	0	0	0	0	0	0
Cambridge, Town of	0	0	23	4	0	4	0	2	1	0	0	0	0	0	1	0
Capel, Shire of	0	0	0	1	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	4	0	0	0	0	0	0	0	0	0	0	0	1	0
Cottesloe, Town of	0	0	3	2	0	1	4	0	1	0	0	0	0	0	0	0
Denmark, Shire of	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Fremantle, City of	0	0	6	1	0	0	0	1	0	0	0	0	0	0	0	0
Gosnells, City of	0	0	11	0	0	0	0	0	0	0	0	0	0	0	0	0
Greater Geraldton, City of	0	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0
Harvey, Shire of	0	0	5	3	0	1	0	0	0	0	0	0	0	0	0	0
Joondalup, City of	0	0	63	3	0	10	0	1	0	0	0	0	0	0	0	0
Kalamunda, City of	0	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0
Kalgoorlie-Boulder, City of	0	0	9	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
Mandurah, City of	0	0	14	0	0	0	0	0	0	0	0	0	0	0	0	0
Manjimup, Shire of	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0
Melville, City of	0	0	38	0	0	0	0	2	0	0	0	0	0	0	0	0
Merredin, Shire of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Mosman Park, Town of	0	0	8	0	0	2	0	0	0	0	0	0	0	0	0	0
Mundaring, Shire of	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
Murray, Shire of	0	0	3	1	0	0	0	0	0	0	0	0	0	0	0	0
Nedlands, City of	0	0	6	4	0	0	1	0	1	0	0	0	0	0	0	0
Perth, City of	0	1	8	4	0	8	1	1	0	0	0	0	0	0	0	0
Plantagenet, Shire of	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
Ravensthorpe, Shire of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Rockingham, City of	0	0	11	1	0	0	1	1	6	0	0	1	0	0	0	0
Serpentine-Jarradale, Shire of	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0
South Perth, City of	0	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0
Stirling, City of	0	0	54	0	0	6	0	7	0	0	0	0	0	0	0	0
Subiaco, City of	0	0	3	0	0	1	0	1	0	0	1	0	0	0	0	0
Swan, City of	0	0	47	30	0	1	1	4	0	0	1	0	0	0	0	0
Toodyay, Shire of	0	0	7	1	0	1	2	0	2	0	0	0	0	0	0	0
Victoria Park, Town of	0	0	5	0	0	0	1	1	0	0	1	0	0	0	0	0
Vincent, City of	0	0	11	0	0	0	0	1	0	0	0	0	0	0	0	0
Wanneroo, City of	0	0	34	0	0	0	0	0	1	0	0	0	0	0	0	0
<i>Sub-total: Local Governments</i>	<i>0</i>	<i>1</i>	<i>502</i>	<i>65</i>	<i>0</i>	<i>40</i>	<i>15</i>	<i>29</i>	<i>19</i>	<i>0</i>	<i>3</i>	<i>3</i>	<i>0</i>	<i>0</i>	<i>3</i>	<i>0</i>

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: Ministers																
Buti MLA, Hon Dr T A	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Carey MLA, Hon J N	0	0	4	1	0	0	0	0	1	0	0	0	0	0	0	0
Cook MLA, Hon R	0	0	2	1	0	0	0	0	1	0	0	0	1	0	0	0
Johnston MLA, Hon W J	5	0	8	0	0	1	0	2	1	0	0	0	4	0	0	0
Kelly MLA, Hon D	1	0	2	0	0	0	0	0	0	0	0	0	1	0	0	0
MacTiernan MLA, Hon A	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
McGurk MLA, Hon S F	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Papalia MLA, Hon P	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Punch MLA, Hon D T	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Quigley MLA, Hon J R	3	0	1	0	0	0	0	1	0	0	0	0	1	0	0	0
Saffioti MLA, Hon R	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Sanderson MLA, Hon A	0	0	4	1	0	0	1	0	1	0	0	0	0	0	0	0
Winton MLA, Hon S E	1	0	1	0	0	0	1	1	0	0	0	0	0	0	0	0
<i>Sub-total: Ministers</i>	<i>14</i>	<i>0</i>	<i>31</i>	<i>3</i>	<i>0</i>	<i>1</i>	<i>2</i>	<i>4</i>	<i>4</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>7</i>	<i>0</i>	<i>0</i>	<i>0</i>
Group: Police																
Police Force, Western Australia	2	0	788	0	0	122	0	0	3	0	0	4	4	0	3	0
<i>Sub-total: Police</i>	<i>2</i>	<i>0</i>	<i>788</i>	<i>0</i>	<i>0</i>	<i>122</i>	<i>0</i>	<i>0</i>	<i>3</i>	<i>0</i>	<i>0</i>	<i>4</i>	<i>4</i>	<i>0</i>	<i>3</i>	<i>0</i>
Group: Universities																
Curtin University	0	0	1	1	0	2	4	5	4	0	0	3	0	0	0	0
Edith Cowan University	0	0	1	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
Murdoch University	0	0	4	0	0	0	0	0	1	0	0	0	0	0	0	0
University of Western Australia, The	0	0	3	1	0	0	1	1	2	0	0	1	0	0	0	0
<i>Sub-total: Universities</i>	<i>0</i>	<i>0</i>	<i>9</i>	<i>2</i>	<i>0</i>	<i>2</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>0</i>	<i>0</i>	<i>4</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
TOTAL	46	5	5,584	197	0	331	182	111	124	0	26	183	31	3	172	2

Note: Agencies which did not cite exemptions are omitted.

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	3	0	224	17	0	2	121	22	10	0	5	1	0	0	2	2
Departments (except Police and Health related agencies)	25	2	1,787	103	0	159	35	50	56	0	18	171	20	3	161	0
Health Related Agencies	2	2	2,243	7	0	5	4	0	25	0	0	0	0	0	3	0
Local Governments	0	1	502	65	0	40	15	29	19	0	3	3	0	0	3	0
Ministers	14	0	31	3	0	1	2	4	4	0	0	0	7	0	0	0
Police	2	0	788	0	0	122	0	0	3	0	0	4	4	0	3	0
Universities	0	0	9	2	0	2	5	6	7	0	0	4	0	0	0	0
TOTAL	46	5	5,584	197	0	331	182	111	124	0	26	183	31	3	172	2

Table 15: 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					
Acacia Prison	1	1	0	0	0
Development WA	1	1	0	0	0
Forest Products Commission	1	1	0	0	0
Gold Corporation	1	0	1	0	0
Insurance Commission of Western Australia	3	2	1	0	0
Legal Aid Western Australia	1	1	0	0	0
Mental Health Commission	1	1	0	0	0
Metropolitan Cemeteries Board	2	2	0	0	0
Pilbara Ports Authority	1	1	0	0	0
Public Advocate, Office of the	1	0	1	0	0
Public Sector Commission	1	1	0	0	0
Public Transport Authority	5	3	2	0	0
Public Trustee	2	2	0	0	0
State Administrative Tribunal	1	1	0	0	0
Western Power	2	1	0	1	0

AGENCY	Requests received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Workcover Western Australia Authority (Workcover WA)	3	2	1	0	0
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<i>27</i>	<i>20</i>	<i>6</i>	<i>1</i>	<i>0</i>
Group: Departments (except Police and Health related agencies)					
Biodiversity, Conservation and Attractions, Department of	1	1	0	0	0
Communities, Department of	8	7	1	0	0
Education, Department of	12	5	4	0	0
Fire and Emergency Services, Department of	6	2	4	0	0
Health Support Services	1	1	0	0	0
Health, Department of	2	0	2	0	0
Jobs, Tourism, Science and Innovation, Department of	4	1	2	0	1
Justice, Department of	21	14	10	0	0
Local Government, Sport and Cultural Industries, Department of	4	2	2	0	0
Main Roads Western Australia	6	6	0	0	0
Mines, Industry Regulation and Safety, Department of	6	4	1	0	0
North Metropolitan TAFE	1	1	0	0	0
Planning, Lands and Heritage, Department of	4	1	3	0	0
Premier and Cabinet, Department of the	8	5	0	2	0
Primary Industries and Regional Development, Department of	2	2	0	0	0
Transport, Department of	6	3	3	0	0
Water and Environmental Regulation, Department of	7	4	3	0	0
<i>Sub-total: Departments (except Police and Health related agencies)</i>	<i>99</i>	<i>59</i>	<i>35</i>	<i>2</i>	<i>1</i>

AGENCY	Requests received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Group: Health Related Agencies					
EMHS - Armadale Kalamunda Group	1	0	0	0	0
EMHS - Corporate Office	1	0	1	0	0
EMHS - Royal Perth Bentley Group	5	0	3	0	0
NMHS - Corporate Office	4	3	1	0	0
NMHS - Mental Health	2	2	0	0	0
PathWest Laboratory Medicine WA	3	11	0	0	0
SMHS - Fiona Stanley Fremantle Hospital Group	4	4	0	0	0
WACHS - Central Office	1	1	0	0	0
WACHS - Goldfields	1	0	0	1	0
Sub-total: Health Related Agencies	22	21	5	1	0
Group: Local Governments					
Albany, City of	5	5	0	0	0
Armadale, City of	1	1	0	0	0
Augusta-Margaret River, Shire of	0	10	0	0	1
Bassendean, Town of	2	0	0	0	0
Belmont, City of	2	2	0	0	0
Boyup Brook, Shire of	2	0	0	0	0
Broome, Shire of	1	1	0	0	0
Bunbury, City of	1	0	1	0	0
Busselton, City of	3	2	1	0	0
Cambridge, Town of	4	4	1	0	0

AGENCY	Requests received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Cockburn, City of	1	1	0	0	0
Cuballing, Shire of	0	1	0	0	0
Derby-West Kimberley, Shire of	0	2	0	0	0
Dowerin, Shire of	0	1	0	0	0
Fremantle, City of	1	1	0	0	0
Gingin, Shire of	1	1	0	0	0
Greater Geraldton, City of	2	2	0	0	0
Joondalup, City of	11	5	6	0	0
Katanning, Shire of	0	3	0	0	0
Mandurah, City of	1	1	0	0	0
Melville, City of	7	6	1	0	0
Mosman Park, Town of	1	0	1	0	0
Nedlands, City of	2	2	1	0	0
Peppermint Grove, Shire of	1	1	0	0	0
Perth, City of	2	0	2	0	0
Port Hedland, Town of	0	9	0	0	0
Rockingham, City of	2	2	0	0	0
Serpentine-Jarradale, Shire of	1	1	0	0	0
South Perth, City of	2	2	0	0	0
Stirling, City of	4	4	0	0	0
Subiaco, City of	1	1	0	0	0
Swan, City of	3	2	1	0	0

AGENCY	Requests received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Toodyay, Shire of	1	0	0	0	1
Victoria Park, Town of	1	1	0	0	0
Vincent, City of	2	1	1	0	0
Wanneroo, City of	2	2	0	0	0
<i>Sub-total: Local Governments</i>	<i>70</i>	<i>77</i>	<i>16</i>	<i>0</i>	<i>2</i>
Group: Police					
Police Force, Western Australia	63	26	30	2	5
<i>Sub-total: Police</i>	<i>63</i>	<i>26</i>	<i>30</i>	<i>2</i>	<i>5</i>
Group: Universities					
Curtin University	4	3	1	0	0
Edith Cowan University	3	0	3	0	0
Murdoch University	1	1	0	0	0
University of Western Australia, The	1	0	1	0	0
<i>Sub-total: Universities</i>	<i>9</i>	<i>4</i>	<i>5</i>	<i>0</i>	<i>0</i>
TOTAL	290	207	97	6	8

SUMMARY	Requests received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Boards, Committees, Commissions, Authorities, Corporations	27	20	6	1	0
Departments (except Police and Health related agencies)	99	59	35	2	1
Health Related Agencies	22	21	5	1	0
Local Governments	70	77	16	0	2
Police	63	26	30	2	5
Universities	9	4	5	0	0
TOTAL	290	207	97	6	8

Table 16: 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](#).

Note: Agencies may carry-over applications from previous years.

AGENCY	Applications received	DECISIONS			
		Amended	Not Amended	Amended (not as requested)	Withdrawn
Bayswater, City of	1	0	1	0	0
Dalwallinu, Shire of	0	0	1	0	0
Education, Department of	1	0	1	0	0
EMHS - Armadale Kalamunda Group	1	0	0	1	0
EMHS - Royal Perth Bentley Group	10	2	4	4	0
Health and Disability Services Complaints Office	1	1	0	0	0
Justice, Department of	1	0	3	0	0
Melville, City of	2	0	2	0	0
NMHS - Mental Health	3	3	3	3	3
Plantagenet, Shire of	1	1	0	0	0
Police Force, Western Australia	3	0	0	0	0
SMHS - Fiona Stanley Fremantle Hospital Group	2	0	2	0	0
SMHS - Rockingham Peel Group	3	1	1	1	0
Stirling, City of	1	0	1	0	0
Transport, Department of	1	0	0	0	1

AGENCY	Applications received	DECISIONS			
		Amended	Not Amended	Amended (not as requested)	Withdrawn
WACHS - Midwest	1	0	1	0	0
WACHS - South West	1	1	0	0	0
TOTAL	33	9	20	9	4

Table 17: 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
Education, Department of	1	1	0	0	0
EMHS - Royal Perth Bentley Group	1	0	0	0	0
Melville, City of	1	1	0	0	0
Nedlands, City of	0	2	0	0	0
SMHS - Fiona Stanley Fremantle Hospital Group	4	4	0	0	0
TOTAL	7	8	0	0	0

Table 18: 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	Application fees collected (\$)	Charges collected (\$)
Group: Boards, Committees, Commissions, Authorities, Corporations		
Acacia Prison	120	0
Chemistry Centre Western Australia	55	0
Development WA	360	0
Economic Regulation Authority	30	0
Electoral Commission, Western Australian	30	0
Forest Products Commission	120	0
Fremantle Port Authority	90	0
Gold Corporation	30	0
Insurance Commission of Western Australia	3,690	0
Kimberley Ports Authority	0	0
Landgate	180	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
Legal Aid Western Australia	60	60
Lotteries Commission	30	0
Mental Health Commission	30	0
Metropolitan Cemeteries Board	60	0
Pilbara Development Commission	30	0
Pilbara Ports Authority	60	0
Public Advocate, Office of the	22	0
Public Sector Commission	120	0
Public Transport Authority	450	0
Public Trustee	150	253
Racing and Wagering Western Australia	90	0
Registrar, WA Industrial Relations Commission, Department of the	30	0
Sports Centre Trust (VenuesWest)	60	0
State Administrative Tribunal	60	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
Synergy	0	0
Treasury Corporation, Western Australian	30	0
Water Corporation	870	0
Western Power	960	0
Workcover Western Australia Authority (Workcover WA)	3,390	0
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<i>11,207</i>	<i>313</i>
Group: Departments (except Police and Health related agencies)		
Biodiversity, Conservation and Attractions, Department of	660	0
Communities, Department of	3,360	1,110
Education, Department of	2,100	0
Finance, Department of	450	0
Fire and Emergency Services, Department of	6,090	0
Health, Department of	1,230	0
Jobs, Tourism, Science and Innovation, Department of	780	0
Justice, Department of	1,380	0
Local Government, Sport and Cultural Industries, Department of	960	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
Mines, Industry Regulation and Safety, Department of	21,660	390
North Metropolitan TAFE	30	0
Planning, Lands and Heritage, Department of	3,720	0
Premier and Cabinet, Department of the	1,770	0
Primary Industries and Regional Development, Department of	1,230	0
Training and Workforce Development, Department of	510	0
Transport, Department of	4,260	7,702
Treasury, Department of	90	0
Water and Environmental Regulation, Department of	8,820	8,820
<i>Sub-total: Departments (except Police and Health related agencies)</i>	<i>59,100</i>	<i>18,022</i>
Group: Health Related Agencies		
Child & Adolescent Health Service (CAHS)	120	0
EMHS - Armadale Kalamunda Group	1,080	0
EMHS - Corporate Office	180	0
EMHS - Royal Perth Bentley Group	11,970	10,560
Healthway	30	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
NMHS - Corporate Office	210	0
NMHS - Mental Health	450	0
NMHS - Sir Charles Gairdner Hospital	4,380	0
NMHS - Women and Newborn Health Service	210	0
PathWest Laboratory Medicine WA	140	0
SMHS - Fiona Stanley Fremantle Hospital Group	6,840	0
SMHS - Rockingham Peel Group	2,430	1,365
WACHS - Central Office	90	0
WACHS - Goldfields	300	0
WACHS - Great Southern	390	0
WACHS - Kimberley	0	5,250
WACHS - Midwest	360	0
WACHS - Pilbara	915	0
WACHS - South West	2,550	1,800
WACHS - Wheatbelt	80	0
<i>Sub-total: Health Related Agencies</i>	<i>32,725</i>	<i>18,975</i>
Group: Local Governments		
Albany, City of	300	0
Armadale, City of	660	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
Ashburton, Shire of	90	0
Augusta-Margaret River, Shire of	420	0
Bassendean, Town of	180	124
Bayswater, City of	780	780
Belmont, City of	360	660
Boddington, Shire of	30	0
Boyup Brook, Shire of	60	0
Bridgetown-Greenbushes, Shire of	60	0
Broome, Shire of	210	0
Bruce Rock, Shire of	60	0
Bunbury, City of	390	627
Busselton, City of	570	489
Cambridge, Town of	750	0
Capel, Shire of	30	308
Carnarvon, Shire of	30	30
Chittering, Shire of	60	390
Claremont, Town of	180	0
Cockburn, City of	660	120
Cottesloe, Town of	270	660
Cranbrook, Shire of	30	0
Cuballing, Shire of	30	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
Dalwallinu, Shire of	30	0
Denmark, Shire of	60	600
Dowerin, Shire of	30	30
East Pilbara, Shire of	120	0
Esperance, Shire of	120	0
Exmouth, Shire of	60	60
Fremantle, City of	420	0
Gingin, Shire of	200	377
Goomalling, Shire of	90	90
Gosnells, City of	320	0
Greater Geraldton, City of	390	0
Harvey, Shire of	210	0
Joondalup, City of	2,310	30
Kalamunda, City of	750	0
Kalgoorlie-Boulder, City of	390	0
Karratha, City of	60	210
Katanning, Shire of	60	0
Mandurah, City of	502	0
Manjimup, Shire of	30	0
Melville, City of	1,080	0
Mosman Park, Town of	300	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
Mundaring, Shire of	330	330
Murray, Shire of	90	90
Narrogin, Shire of	60	120
Nedlands, City of	210	0
Northam, Shire of	60	120
Peppermint Grove, Shire of	30	0
Perth, City of	600	1,550
Plantagenet, Shire of	60	162
Port Hedland, Town of	271	0
Ravensthorpe, Shire of	60	0
Rockingham, City of	660	465
Serpentine-Jarradale, Shire of	300	360
South Perth, City of	300	0
Stirling, City of	1,830	334
Subiaco, City of	240	0
Swan, City of	1,650	97
Toodyay, Shire of	240	0
Victoria Park, Town of	240	0
Vincent, City of	390	1,190
Wanneroo, City of	1,020	0
Waroona, Shire of	450	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
Wongan-Ballidu, Shire of	0	0
Wyndham-East Kimberley, Shire of	150	150
York, Shire of	30	0
<i>Sub-total: Local Governments</i>	<i>23,013</i>	<i>10,553</i>
Group: Ministers		
Buti MLA, Hon Dr T A	30	0
Carey MLA, Hon J N	90	0
Cook MLA, Hon R	120	0
Dawson MLC, Hon S N	120	0
Ellery MLC, Hon S M	90	0
Jarvis MLC, Hon J	60	0
Johnston MLA, Hon W J	540	0
Kelly MLA, Hon D	30	0
MacTiernan MLA, Hon A	60	0
McGurk MLA, Hon S F	30	0
Michael MLA, Hon D R	60	0
Papalia MLA, Hon P	420	0
Punch MLA, Hon D T	90	0
Quigley MLA, Hon JR	210	0
Saffioti MLA, Hon R	150	0
Sanderson MLA, Hon A	360	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
Templeman MLA, Hon D A	30	0
Whitby MLA, Hon R R	60	0
Winton MLA, Hon S E	30	0
<i>Sub-total: Ministers</i>	<i>2,580</i>	<i>0</i>
Group: Police		
Police Force, Western Australia	48,330	0
<i>Sub-total: Police</i>	<i>48,330</i>	<i>0</i>
Group: Universities		
Curtin University	270	0
Edith Cowan University	30	0
Murdoch University	120	0
University of Western Australia, The	120	0
<i>Sub-total: Universities</i>	<i>540</i>	<i>0</i>
TOTAL	\$177,495	\$47,863

Table 19: 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
Belmont, City of	150	0	0	1
Busselton, City of	90	0	1	0
Child & Adolescent Health Service (CAHS)	120	0	0	4
Chittering, Shire of	60	0	0	1
Communities, Department of	105	0	1	1
Cottesloe, Town of	120	0	0	2
EMHS - Armadale Kalamunda Group	30	0	0	0
EMHS - Royal Perth Bentley Group	10,530	0	0	0
Fire and Emergency Services, Department of	7,342	0	0	0
Fremantle Port Authority	30	0	0	6
Fremantle, City of	801	0	1	6
Gingin, Shire of	16	0	1	0
Gosnells, City of	10	0	1	0
Kalamunda, City of	550	0	0	3
Karratha, City of	500	0	0	0
Kimberley Ports Authority	30	0	0	1
Legal Aid Western Australia	1,050	35	0	0

AGENCY	\$ charges reduced	Reason for reduction in charges		
		Impecunious	Pensioner	Other
Mandurah, City of	22	0	1	0
Mundaring, Shire of	60	0	0	2
Public Advocate, Office of the	8	0	1	0
Synergy	150	0	0	5
WACHS - South West	1,770	0	0	0
Wongan-Ballidu, Shire of	30	0	0	1
TOTAL	\$23,574	35	7	33