



Office of the  
**Information Commissioner**

*Freedom of information for Western Australia*

# **ANNUAL REPORT**

## **2017/2018**



## Contact Details

### Office address

Albert Facey House  
469 Wellington Street  
PERTH WA 6000

### Telephone

(08) 6551 7888

### Freecall for WA country regions

1800 621 244

### Facsimile

(08) 6551 7889

### Email

[info@foi.wa.gov.au](mailto:info@foi.wa.gov.au)

### Website

[www.oic.wa.gov.au](http://www.oic.wa.gov.au)

This annual report and previous annual reports are available on the OIC website



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

#### **ANNUAL REPORT TO 30 JUNE 2018**

In accordance with section 65 of the *Financial Management Act 2006* I hereby submit my report for the reporting period ended 30 June 2018.

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

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

Catherine Fletcher  
ACTING INFORMATION COMMISSIONER

19 September 2018

Albert Facey House, 469 Wellington Street, PERTH WA 6000  
Telephone: (08) 6551 7888 Facsimile: (08) 6551 7889  
Freecall (WA country): 1800 621 244  
Email: [info@foi.wa.gov.au](mailto:info@foi.wa.gov.au)  
Web: [www.foi.wa.gov.au](http://www.foi.wa.gov.au)

## About this report

Welcome to the Office of the Information Commissioner's 2017/18 annual report.

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

Given that the key message of the freedom of information legislation – that is, greater accountability and transparency – mirrors the purpose of agency annual reports, we trust that this report on our activities and performance during the year provides valuable insight to all of our stakeholders.

## Strategic goals 2016-2019

**Provide a fair,  
independent and  
timely external  
review service**

**Foster improvement  
in agency practice**

**Enhance public  
awareness of rights  
to government  
information**

**Build the capacity of  
our people**

# Contents

## Overview

What is freedom of information? .....	<a href="#">1</a>
About the Office of the Information Commissioner .....	<a href="#">2</a>
Executive Summary – the year in review .....	<a href="#">5</a>

## Agency performance

Report on operations.....	<a href="#">7</a>
Key highlights .....	<a href="#">8</a>

## Significant issues and trends

Recommended legislative and administrative changes....	<a href="#">27</a>
Supreme Court appeals .....	<a href="#">29</a>
Association of Information Access Commissioners .....	<a href="#">30</a>
Submissions and consultations .....	<a href="#">31</a>
FOI in the sector.....	<a href="#">33</a>

## Disclosures and legal compliance

Report on agency statistics .....	<a href="#">35</a>
Other financial disclosures .....	<a href="#">39</a>
Governance disclosures.....	<a href="#">40</a>

## Key performance indicators

Government goal.....	<a href="#">45</a>
Desired outcome .....	<a href="#">45</a>
Description .....	<a href="#">45</a>
Effectiveness performance indicators .....	<a href="#">46</a>
Efficiency performance indicators .....	<a href="#">48</a>

## Financial statements

Statements.....	<a href="#">53</a>
Schedules .....	<a href="#">55</a>
Notes.....	<a href="#">58</a>

## OIC statistics .....

## Agency statistics.....

# Overview

## What is Freedom of Information?

A legislative right to access government information remains a hallmark of an open, transparent and accountable democracy. The *Freedom of Information Act 1992 (WA)* (**the FOI Act**) gives everyone a legally enforceable right to government information 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 also provides a means to ensure personal information held by State and local governments is accurate, complete, up-to-date and not misleading.

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

## How does it work?

Anyone has the right to lodge an FOI application to WA State and local government agencies and Ministers (collectively referred to as 'agencies'), requesting access to, or copies of, 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 in accordance with the FOI Act.

## Role of the Information Commissioner

The office of Information Commissioner is established by section 55(1) of the FOI Act and the Commissioner is appointed by the Governor. The Information Commissioner (**the Commissioner**) is independent of executive government and reports directly to the Parliament as required by section 111 of the FOI Act 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 information and amendment of personal information. Additional functions of the Commissioner include ensuring that agencies and the public are aware of their responsibilities and rights under the FOI Act.

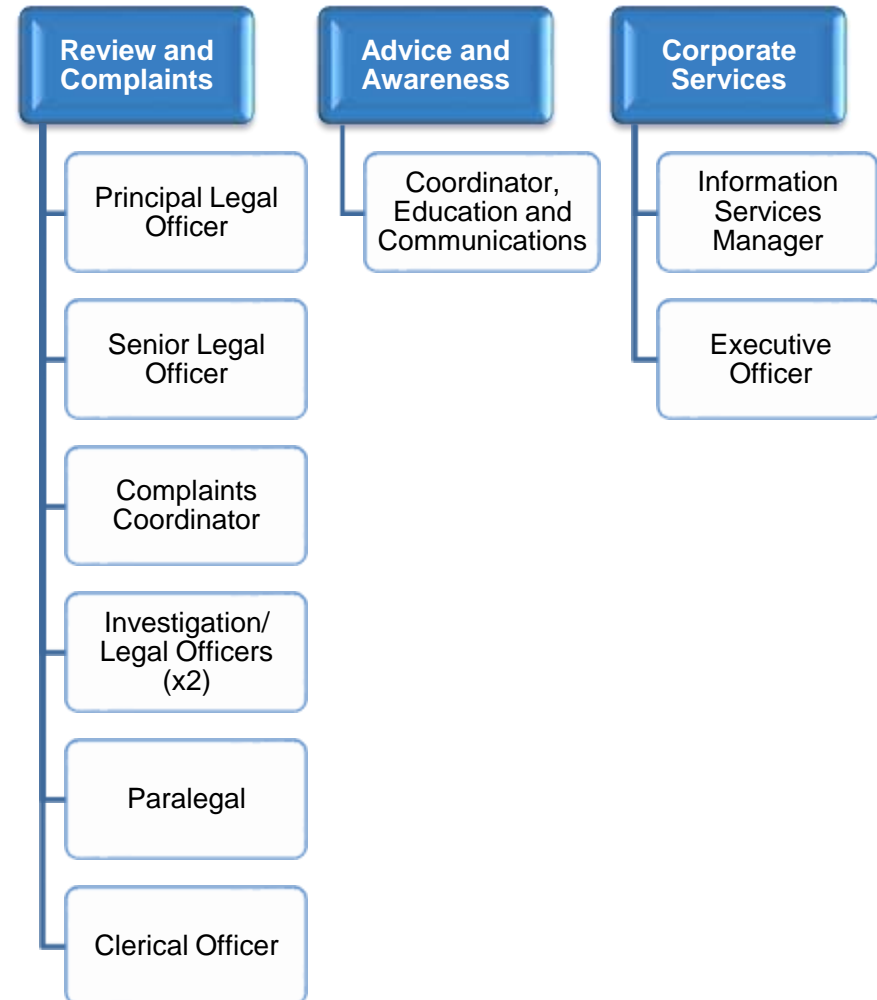
When relevant, the Commissioner also recommends legislative or administrative changes that could be made to help the objects of the FOI Act be achieved.

## About the Office of the Information Commissioner

As at 30 June 2018, the Commissioner was supported by 10 staff in the Office of the Information Commissioner (**the OIC**). Due to the small size of the office, the OIC employs a simple reporting structure whereby all staff report directly to the Commissioner. Two service teams operate to assist the Commissioner in meeting the objectives of the FOI Act, as follows.

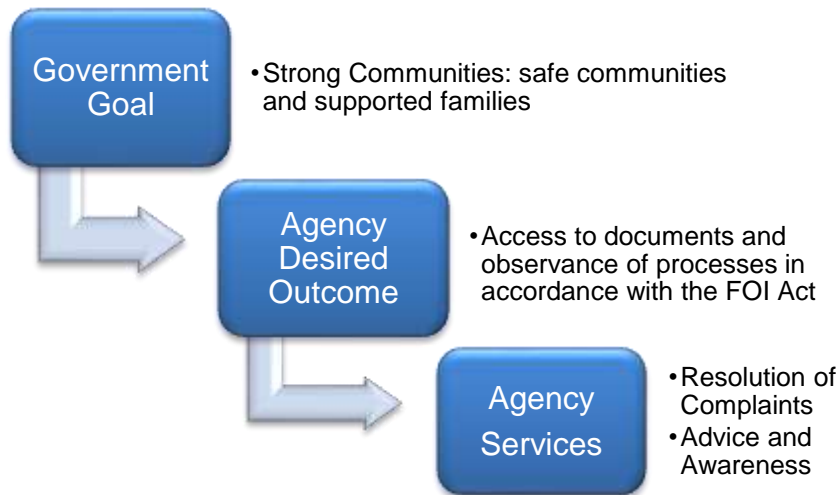
- *Resolution of Complaints (External Review)* provides an independent review and complaint resolution process that strives to resolve cases in a timely manner and balances the competing needs and expectations of applicants, agencies and Parliament within the legislative requirements prescribed by the FOI Act.
- *Advice and Awareness* provides objective advice 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 conducts briefings and training sessions for agency staff.

The Information Services Manager and the Executive Officer provide information technology support, executive support and corporate services management.



### Performance management framework

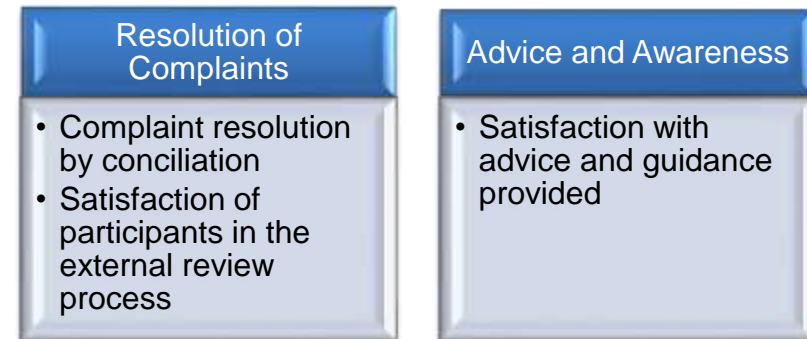
The OIC’s services are designed to achieve an overarching desired outcome, which in turn is mapped to a whole of government goal:



One of the objects of the FOI Act is to ‘enable the public to participate more effectively in governing the State’, a concept that contributes to building strong communities by promoting transparency and accountability in government.

The OIC is an independent statutory authority and does not share any responsibilities with other agencies.

Key performance indicators have been developed to measure the effectiveness of our services:



Service efficiency is measured by the cost of each external review application and advice unit provided. Further analysis of these key performance indicators, as audited by the Office of the Auditor General, are outlined from page [45](#).

## Legislative framework and legal compliance

The legislative framework for freedom of information in Western Australia is governed by the following legislation:

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

In the performance of our functions, the OIC also complies with the following legislation.

- *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*
- *Occupational Safety and Health Act 1984*
- *Public Interest Disclosure Act 2003*
- *Public Sector Management Act 1994*
- *Salaries and Allowances Act 1975*
- *State Records Act 2000*
- *State Supply Commission Act 1991*

The relevant legislative reporting that is required under certain of these acts can be found under the [Disclosures and Legal Compliance](#) section of this report.



## Executive summary – the year in review



This is the 25th annual report to Parliament and, through Parliament, to the community on the operations of the Office of the Information Commissioner for Western Australia and the administration of the FOI Act. It is my first annual report as Acting Information Commissioner following my appointment to this role on 16th July 2018. In addition

to our statutory responsibilities, the functions of the Information Commissioner and staff of the OIC are guided by the FOI principles of openness, accountability and responsibility of government. We see our role as both complementary and integral to the system of Parliamentary democracy in this State.

Due to the recent nature of my appointment this summary of important events, key highlights and themes for the past year necessarily derives from information provided to me by my staff and the agencies that engage with the FOI legislative framework. In my view, this annual report provides a comprehensive and accurate reflection of the activities of the office for the 2017/18 reporting period.

An important feature of this annual report is the presentation of key data from agencies and the OIC regarding applications for access to documents or amendment of personal information and also the results of decisions upon those applications (see the sections in this report on [Agency Statistics](#), [Key Performance Indicators](#) and [OIC Statistics](#)).

Applications for amendment of personal information form only a very small portion of all applications. Key data regarding access applications indicates there were 17,258 such applications made to agencies this year with almost 90% of the decisions made by agencies providing applicants with access to the requested documents in some form. Only 3.2% of decisions were to refuse access and the most used exemption continues to be that for the protection of personal information about third parties. There is also a continuing trend whereby less than one per cent (0.97%) of access applications proceed by way of external review to the Commissioner. However, the number of complaints to the Commissioner increased markedly last year, up by about one third. Of that number, the vast majority were resolved by conciliation (77%, up from 69% last year) without the need for a formal determination by the Commissioner. Despite that workload increase and reduced staffing levels in the past year this office finalised almost 13% more external review matters than in the previous year (143 this year, up from 127 last year). Meeting expected workload increases will be the key focus for this office going forward.

In addition to my primary function of dealing with complaints about FOI decisions, my other important statutory function is that of raising awareness among, and providing assistance to, the public and agencies on matters relevant to the operation of the FOI Act. My office continues to achieve outstanding rates of satisfaction from agencies about this aspect of our service. An interesting development in recent times has been the resurgence of agency FOI networking groups which provide a forum for agency FOI Co-ordinators to exchange

ideas and support one another. We strongly believe that better informed, better skilled 'front end' FOI decision-makers are likely to lead to better FOI outcomes for the community. I take this opportunity to thank the FOI officers and their associated staff in the many agencies dealing with FOI for their work in this area, which is often challenging and demanding.

A significant highlight of the last 12 months was the inaugural 'FOI in WA Conference' at which 269 officers from the State and local government sectors attended an all-day conference held on 10 August 2017 at Fiona Stanley Hospital. The conference involved a keynote presentation and panel discussion involving local and interstate leaders in the FOI and records management areas, and some concurrent sessions on select issues. The conference was extremely well received and we hope to repeat the experience in late 2019.

This office continues our involvement in the Association of Information and Access Commissioners which is an association of my counterparts from other Australian jurisdictions and New Zealand. The objectives of the association include sharing knowledge and resources between Commissioners within the regions, as well as cooperating in areas such as promotion of best practice in the area of FOI, the proactive disclosure of government information and general open government initiatives.

My final observation of key events for this summary is that this office was invited to provide a number of submissions and were consulted in respect of various legislative proposals or

administrative practices affecting the FOI Act, information disclosure generally or the OIC. I also point out that this report, like past reports of my predecessors, details a number of recommendations for legislative and administrative changes to the FOI legislative framework which I suggest could improve the processes and procedures under the FOI Act and in the OIC.

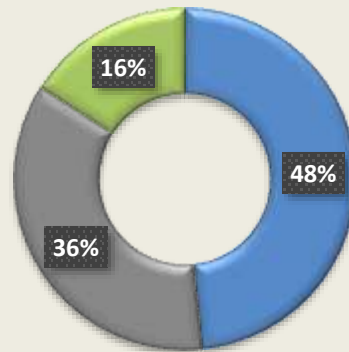
In conclusion, I want to make special thanks to my staff at the OIC for their dedication and continued high standards of service over the last year which, I believe, has been a particularly challenging time in light of the fact there has been some uncertainty about the ongoing structure of the OIC and a number of changes in leadership. In the last year OIC staff farewelled long-term former Commissioner Sven Bluemmel who was appointed as Victoria's Information Commissioner in September 2017. The OIC's Principal Legal Officer Su Lloyd was then appointed Acting Information Commissioner and sadly passed away following her resignation in April 2018. Principal Assistant Ombudsman Lisa Ward was then appointed Acting Information Commissioner for 12 months but resigned when she was permanently appointed as a Magistrate of Western Australia in July 2018. I also acknowledge the unique and significant contribution that my predecessors made to the OIC during the year.

Catherine Fletcher, B.Juris., LLB, Grad Dip Mgmt  
ACTING INFORMATION COMMISSIONER

# Agency Performance

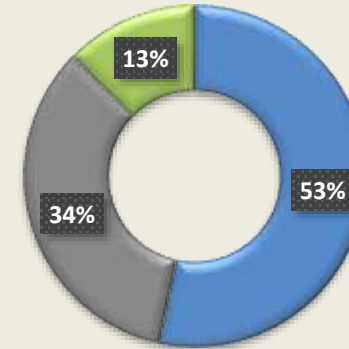
## Report on operations

### Applications Received



- Advice matters (224)
- External review requests (165)
- Other (74)

### Applications Finalised



- Advice matters (224)
- External review requests (143)
- Other (53)

- Advice matters refer to the more formal written requests for advice regarding freedom of information from the public sector and the general public. Also included are written requests that have been misdirected to the OIC and a suitable response outlining the correct process is provided. These do not include verbal advice.
- External review requests are valid applications for external review seeking the Information Commissioner's determination.
- Other matters refer to requests for the Commissioner's determination such as: informal/invalid requests where it is not clear if the Commissioner has jurisdiction; requests to waive the requirement to consult third parties; requests to extend or reduce the time required for an agency to deal with an application; applications for external review without first applying for internal review; and requests to apply for external review out of time.

## Key highlights

- [KPI overview – external review](#)
- [Conciliation](#)
- [Decisions of the Commissioner](#)
- [Legislative change](#)

- [Audit](#)
- [Other financial disclosures](#)



- [FOI in WA Conference](#)
- [Publications](#)
- [Briefings](#)
- [Agency FOI Coordinator's Reference Group](#)
- [Newsletter](#)
- [Workshops for FOI practitioners](#)

- [Briefings to community groups](#)
- [Publications](#)
- [Information and assistance service](#)

## Our financial performance

	Target \$000	Actual \$000	Variation \$000
Total cost of services	2,439	2,327	(112)
Net cost of services	2,435	2,291	(144)
Total equity	278	508	230
Net increase/(decrease) in cash held	(8)	86	94
Approved salary expense level	1,532	1,431	(101)

The variances have mainly come from the salaries budget. In particular: senior staff changes; the Voluntary Targeted Separation Scheme; the wages policy; and a vacant position. Some permanent staffing decisions have had to be postponed due to the changes in Commissioner throughout the year.

The OIC's audited financial statements can be found in the [Financial Statements](#) chapter. Due to the OIC's total cost of services falling below the required threshold of \$3 million, it is not necessary for the financial statements to contain explanatory statements in respect of variances.

## Overview of our performance indicators

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

	Estimate	Actual	Variation
<b>Advice and Awareness</b>			
<i>Key effectiveness indicator</i>			
Agencies satisfied with advice and guidance provided	98%	99%	1%
<i>Key efficiency indicator</i>			
Average cost of service per application lodged	\$240	\$249	\$9
<b>Resolution of Complaints</b>			
<i>Key effectiveness indicators:</i>			
Participants satisfied with complaint resolution and external review processes	85%	80%	(5%)
Applications for external review resolved by conciliation	60%	77%	17%
<i>Key efficiency indicator</i>			
Average cost per external review finalised	\$9,190	\$8,075	(\$1,115)

## Advice and Awareness

### *Satisfaction rate*

The level of satisfaction with the advice and awareness service provided by the OIC is determined by responses received from agencies in an agency-wide survey issued at the end of each financial year. The advice and awareness service includes advice provided by telephone or email; agency training and briefings; and guidance provided by electronic media available online.

The satisfaction rate (99% this reporting period; 98% last period) is consistently high for this service.

### *Average cost*

The average cost for Advice and Awareness services has remained relatively steady (\$249 this reporting period; \$251 last period).

## Resolution of complaints

### *Satisfaction rate*

To measure the satisfaction of the external review service, a post review questionnaire (**PRQ**) is sent to all the involved parties at the completion of every external review matter. The PRQ is designed to seek their views on whether they regard the external review process as independent, objective and fair with an emphasis on user-friendly processes that met their needs.

The target satisfaction rate was reviewed and increased for the 2016/17 year from 80% to 85%, as the actual outcome had consistently been over 85% since 2013. This year saw an 8% drop from the previous year outcome and 5% below the new target.

It is acknowledged that an ongoing challenge for the office is the timeliness of the external review process. Some relevant issues in this regard that occurred during the year include a 33% increase in received external review applications (up from 124 to 165); a decrease in FTEs; and the appointment of two successive Acting Information Commissioners following the departure of Sven Bluemmel in September 2017.

Despite these issues, the office finalised 143 external review matters this year, a 13% increase on the 127 external review matters finalised last year. We will continue to review our processes wherever practicable without compromising the integrity of the external review process.

### *Conciliation rate*

The conciliation rate is the rate at which applications for external review are resolved by conciliation or negotiation between the parties to the external review.

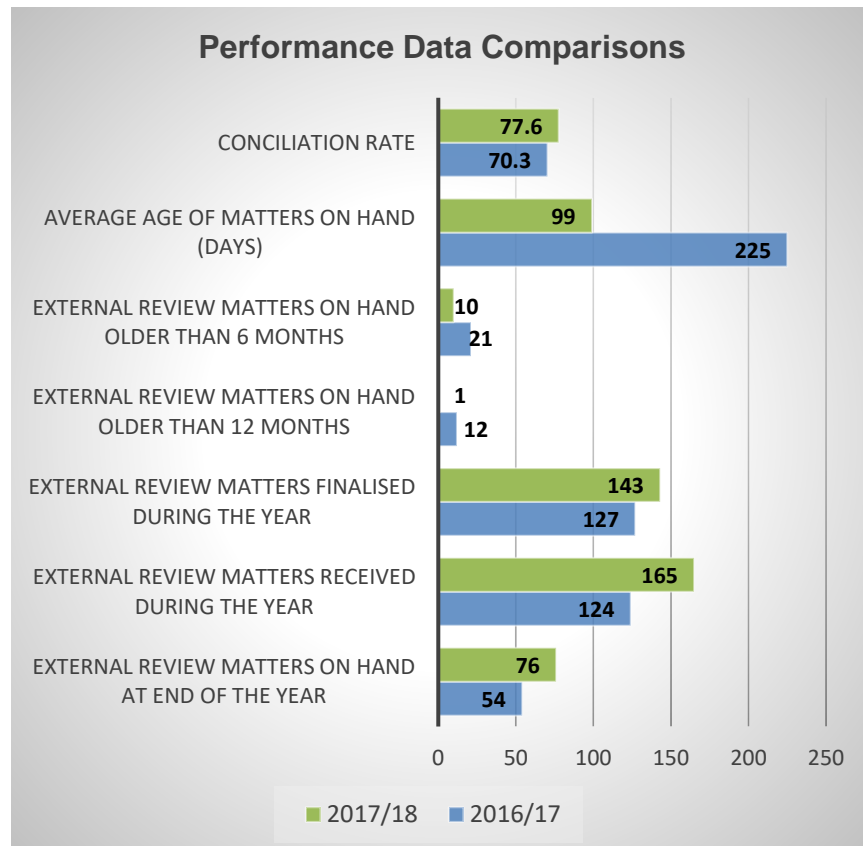
This year saw the highest conciliation rate recorded (77%) since 2007. Conciliation continues to be the preferred method of external review closure. Given the ongoing high rate, the target was reviewed during the year and increased to 70% from 2018/19. The new target is published in the 2018/19 budget papers.



### Average cost

The cost per external review finalised was less than estimated due to fluctuations in the number and complexity of matters received and resolved, and a reduction in the total cost of services for the Resolution of Complaints (External Review) function following unanticipated reduction of staff levels during the period.

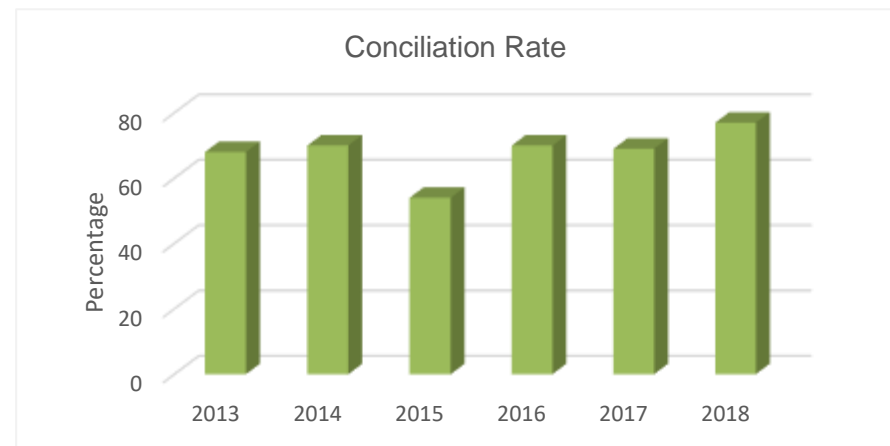
The audited key performance indicators can be found on page [44](#) of this report.



### Resolution by conciliation

The Commissioner has powers to deal with complaints in a number of ways including by conciliation, negotiation and compulsory conferences. These are in addition to the power to resolve a complaint by issuing a binding determination. It has always been 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 preparing a formal determination.

When any new external review matter is first assessed and assigned to a complaints officer to deal with (who acts on behalf of the Commissioner under certain delegated powers), consideration is given to any procedural options then available to resolve the matter. In particular, consideration is given as to whether proceeding to a compulsory conciliation conference is preferred over other conciliation methods, given the particular circumstances of the case at that time.



Conciliation is an important element of the external review process and can result either in resolution of the complaint 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.

The conciliation rate forms one of the OIC's three effectiveness indicators.

#### Conciliation case study 1

In two matters, the agency refused a former employee access to certain documents relating to a workplace grievance.

The Commissioner required the parties to attend a conciliation conference.

Although the matters were not resolved at the conference, the conference provided a valuable opportunity for the parties to discuss the key issues in dispute and appeared to play an important role in the complainant subsequently cooperating in the ultimate resolution of both matters by conciliation. The complainant accepted access to edited copies of the requested documents and accepted the Commissioner's view that some documents were exempt, without requiring a formal determination.

#### Conciliation case study 2

The complainant applied to the agency for a copy of an investigation report that was more than 10 years old. The agency refused the complainant access to the report.

Following discussions with both of the parties, it appeared that the matter could be resolved through conciliation and the OIC subsequently conducted a conciliation conference attended by both parties. At the conference the agency agreed to provide further information to the complainant in relation to the investigation and to address certain issues of concern to the complainant. Although the complainant did not ultimately obtain a copy of the investigation report, issues that had been unresolved for 10 years were resolved through the cooperation of the parties. As a result, the complaint before the Commissioner was conciliated.

#### **Decisions of the Information Commissioner**

Sometimes applications for external review cannot be resolved through conciliation. In such cases the Commissioner may need to finalise a complaint by issuing a binding final determination. However, before issuing a final determination the Commissioner will usually issue a written preliminary view to the parties to the complaint.



The purpose of the preliminary view is to give the parties involved 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 before the matter is finalised. While there is no legislative requirement to provide a preliminary view, the FOI Act does provide that the parties to a complaint are to be given a reasonable opportunity to make submissions.

The preliminary view will generally include the following information:

- the background to the complaint (when relevant);
- a summary of the key steps taken during the external review process;
- a description of any preliminary issues and their outcomes;
- a description of the matter that remains in dispute;
- a summary of the relevant submissions made to date; and
- the Commissioner's consideration and preliminary view based on all the information provided.

The preliminary view letter 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 (abridged if necessary to avoid disclosure of potentially exempt matter). Based on the preliminary view of the Commissioner, each party is provided the opportunity to reconsider their position and either choose to withdraw from the matter or provide further submissions in support of their claim.

If any matters remain in dispute the Commissioner will, after considering any further information and submissions following the preliminary view, 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. It is the usual practice to identify all of the parties to the complaint in the published decision, except in certain circumstances.

During the reporting period 13 complaints were finalised by formal published decision of the Commissioner. A summary of each follows.

[Refusal to deal with an application for traffic infringements incurred by bus drivers](#)

*Re Seven Network (Operations) Limited and Public Transport Authority* [2017] [WAICmr 18](#)

The complainant sought access to documents relating to traffic infringements incurred by WA bus drivers during a specific period. The agency refused to deal with the complainant's access application under section 20 of the FOI Act on the ground that to do so would divert a substantial and unreasonable portion of the agency's resources away from its other operations.

The agency claimed that amalgamating this particular application with a previous application from the complainant justified the agency refusing to deal with the current application. The Commissioner was not persuaded by this

argument as the question that must be answered is whether dealing with the application would divert a substantial and unreasonable portion of the agency's resources away from its other operations, taking into account the workload of the agency such as its work on other FOI matters at that time, which may include several applications from the same complainant.

The Commissioner considered the agency's submissions regarding its resources and the work involved in dealing with the application. However, the Commissioner was not satisfied that dealing with the application would divert a substantial and unreasonable portion of the agency's resources away from its other operations and found that the agency had to deal with the complainant's access application in accordance with the provisions of the FOI Act.

The agency's decision was set aside.

#### The application fee and personal information vs non-personal information

*Re 'U' and Western Australia Police* [2017] [WAICmr 19](#)

The complainant sought access to documents relating to criminal charges brought against the complainant and did not pay the prescribed \$30 application fee for making an application for non-personal information. As a result, the agency claimed that the scope of the application was limited to personal information about the complainant.

The agency gave the complainant access to edited copies of the requested documents on the basis that the deleted information was non-personal information and therefore

outside the scope of the access application. The complainant applied for external review of the decision to give edited access.

The Commissioner noted that the agency had specifically advised the complainant that his application would be treated as an application for personal information only. The Commissioner was satisfied that the information deleted by the agency was non-personal information and therefore outside the scope of the access application.

The agency's decision was confirmed.

#### Application to amend large amounts of personal information

*Re Appleton and Department of Education* [2017] [WAICmr 20](#)

The complainant applied to amend personal information about himself contained in documents of the agency.

The complainant's amendment application consisted of approximately 459 pages and requested amendment of 387 pieces of information in 82 documents. The agency refused to make the requested amendments, but offered to add to his personal file a copy of his amendment application and a notation stating he disputed the accuracy of certain personal information.

The Acting Information Commissioner (**A/Commissioner**) was of the view that Parliament did not envisage or intend that the amendment provisions in the FOI Act would require an agency to deal with an application for amendment of the size the complainant had made. In the circumstances of the particular case and having regard to the objects of the FOI

Act, other provisions in the FOI Act including section 20, the nature and size of the complainant's application and the work involved in the agency dealing with the totality of his amendment application (which the A/Commissioner considered was mostly without merit), the A/Commissioner found that the decision of the agency not to amend information in accordance with the complainant's amendment application was justified.

The decision of the agency was confirmed.

#### Documents of a previous Minister

*Re Farina and Minister for Environment* [2017] [WAICmr 21](#)

The complainant applied to the Minister for Environment for access to documents relating to the new Bunbury offices of the Department of Parks and Wildlife. The then Minister refused access to some of the requested documents in full or in part on the grounds they were exempt under clauses 1(1) and 12(c) of Schedule 1 to the FOI Act.

While the matter was before the Commissioner there was a change of government after the State Government election in March 2017. Given the change of government and that the Minister at the time of the complainant's access application and the application for external review was no longer the Minister, the A/Commissioner found that the requested documents were no longer documents of the agency, being the current Minister.

As a result, the FOI Act no longer applied to the requested documents.

The former Minister's decision was set aside.

#### Refusal to deal with an application for CCTV footage

*Re Seven Network (Operations) Ltd and Public Transport Authority* [2017] [WAICmr 22](#)

The complainant made six access applications to the agency for access to CCTV footage of various kinds of incidents that had occurred on the agency's train network. The agency decided to amalgamate all of the complainant's access applications and refused to deal with the amalgamated application under section 20 of the FOI Act on the ground that to do so would divert a substantial and unreasonable portion of the agency's resources away from its other operations.

The A/Commissioner was of the view that there is nothing in the FOI Act expressly dealing with whether or not an agency may amalgamate two or more access applications and considered that it was not necessary to express a conclusion as to whether the agency was entitled to amalgamate the access applications. In the A/Commissioner's view, the relevant question was whether the work involved in dealing with the totality of the complainant's access applications would divert a substantial and unreasonable portion of the agency's resources away from its other operations.

The A/Commissioner was satisfied on the information before her that the agency had taken reasonable steps to help the complainant to change its amalgamated application to reduce the amount of work needed to deal with it, and that the work

involved in dealing with the amalgamated application would divert a substantial and unreasonable portion of the agency's resources away from its other operations.

The agency's decision was confirmed.

Access to documents regarding a complaint about the applicant

*Re Donovan and Curtin University of Technology* [2017] [WAICmr 23](#)

The complainant applied to the agency for access to documents relating to a complaint against him. The agency refused access to the documents claiming they were exempt under clause 7(1) as the documents would be privileged from production in legal proceedings on the ground of legal professional privilege.

During the external review process the complainant withdrew his complaint in respect of certain documents. In addition, the agency withdrew some of its claims for exemption and released some of the documents.

In respect of the remaining documents, the A/Commissioner was of the view that the agency's submissions did not add anything material to support its claim under clause 7(1), noting that the agency must establish the facts giving rise to legal professional privilege.

Based on the material before her, the A/Commissioner was not satisfied that the disputed documents would be privileged from production in legal proceedings on the ground of legal

professional privilege and found that the disputed documents were not exempt.

The agency's decision was set aside.

Access to documents containing third party commercial information

*Re Cockburn Cement Limited and Department of Water and Environmental Regulation* [2017] [WAICmr 24](#)

The agency received an access application for certain documents relating to Cockburn Cement Limited and decided to give the access applicant access to the documents. Cockburn Cement was consulted as a third party during this process.

Cockburn Cement (the complainant in the matter before the A/Commissioner), sought review of the agency's decision to give access to certain documents on the basis that release of the documents would reveal trade secrets of the complainant (clause 4(1)); reveal information that has a commercial value to the complainant and could reasonably be expected to destroy that commercial value (clause 4(2)); and that disclosure would reveal information about the business, professional, commercial or financial affairs of the complainant and could reasonably be expected to have an adverse effect on those affairs, or prejudice the future supply of information of that kind to the Government or an agency (clause 4(3)).

The A/Commissioner found that some of the disputed information was exempt under clause 4(2) of Schedule 1 to the FOI Act. The remaining disputed information was found to

be not exempt under clauses 4(1), 4(2) or 4(3). The A/Commissioner also found that access to one document should be by inspection only because the document was subject to copyright.

The agency's decision was varied.

#### Refusal to deal with an application for CCTV footage

*Re Seven Network (Operations) Limited and Public Transport Authority* [2018] [WAICmr 1](#)

Following correspondence with the complainant to change the scope and reduce the work needed to deal with its access application for CCTV footage, the agency refused to deal with the application under section 20 of the FOI Act on the ground that to do so would divert a substantial and unreasonable portion of the agency's resources away from its other operations.

The A/Commissioner accepted that the agency had taken reasonable steps to reduce the scope of the application. However, the A/Commissioner was not satisfied that the work involved in dealing with the access application would divert a substantial and unreasonable portion of the agency's resources from its other operations. The A/Commissioner found that the agency was required to deal with the complainant's access application in accordance with the FOI Act.

The agency's decision was set aside.

#### Personal information and the public interest

*Re 'S' and Department for Child Protection and Family Support* [2018] [WAICmr 2](#)

This matter was remitted to the Commissioner by the Supreme Court in *S v Department for Child Protection and Family Support* [2017] [WASC 305](#). The A/Commissioner was required to determine whether disclosure of the disputed matter (being personal information) would, on balance, be in the public interest, as described in clause 3(6).

The A/Commissioner was of the view that the public interest in protecting the privacy of third parties outweighed the public interest in disclosing personal information about third parties. On balance, the A/Commissioner was of the opinion that it was not in the public interest for sensitive personal information about other individuals to be placed in the public domain by way of the FOI process. The A/Commissioner found that the disputed matter was exempt under clause 3(1) of Schedule 1 to the FOI Act.

The agency's decision was confirmed.

#### Documents regarding legal proceedings against the applicant

*Re Wells and Legal Profession Complaints Committee* [2018] [WAICmr 3](#)

The complainant applied for access to documents comprising or referring to communications between the agency and other parties in relation to legal proceedings against him.

The agency refused access to some of the documents claiming they were exempt under clause 7(1) as the



documents would be privileged from production in legal proceedings on the ground of legal professional privilege.

The complainant alleged that the disputed documents were made in the course of, or furtherance of, an unlawful or improper purpose. Based on the material before her, and applying *Department of Housing and Works v Bowden* [2005] [WASC 123](#) and *Re Duggan and Department of Agriculture and Food* [2011] [WAICmr 31](#), the A/Commissioner was satisfied that, on their face, the disputed documents would be privileged from production in legal proceedings on the ground of legal professional privilege.

Once the A/Commissioner decided that particular documents are on their face the subject of legal professional privilege, then that is all that is required to establish the exemption under clause 7(1). Accordingly, the A/Commissioner found that the disputed documents were exempt.

The agency's decision was confirmed.

#### Access to correspondence regarding legal matters

*Re Hobday and State Solicitor's Office* [2018] [WAICmr 4](#)

The complainant sought access to documents in relation to his correspondence with the Attorney General and the agency between 1998 and 2006 regarding his lead poisoning, consideration for ex gratia payment, alleged misconduct by officers in various departments and other matters. The agency refused access to the disputed documents on the ground that they were exempt under clause 7(1) of Schedule 1 to the FOI Act.

The A/Commissioner found that the disputed documents were exempt under clause 7 on the basis that they would be privileged from production in legal proceedings on the ground of legal professional privilege.

The agency's decision was confirmed.

#### Documents that cannot be found or do not exist

*Re Wells and Legal Practice Board of Western Australia* [2018] [WAICmr 5](#)

The complainant applied to the agency for access to several categories of documents in relation to the Roll of Certified Legal Practitioners, including changes to the appearance of his name and status on the Roll. The agency claimed exemption in full or in part for certain documents and refused access to documents on the basis that those documents could not be found or do not exist, as described in section 26 of the FOI Act.

During the course of the external review the agency undertook further searches and gave the complainant access to additional documents. The agency also withdrew its claims for exemption and released all of the documents it had identified as coming within the scope of the access application.

The only issue left in dispute was the complainant's claim that further documents should exist.

The A/Commissioner stated that when dealing with section 26 of the FOI Act, the following questions must be answered. First, whether there are reasonable grounds to believe that

the additional documents exist or should exist and, second, whether the additional documents are, or should be, held by the agency.

Where those questions are answered in the affirmative, the next question is whether the agency had taken all reasonable steps to find the additional documents. The A/Commissioner was not satisfied that there were reasonable grounds to expect that additional documents exist or should exist. Further, the A/Commissioner was satisfied that the agency had taken all reasonable steps to find additional documents.

The agency's decision was confirmed.

#### Personal information and the public interest

*Re Goiran and Department of Health* [2018] [WAICmr 6](#)

The complainant sought access to documents that included information about induced abortions carried out after 20 weeks gestation. The agency gave the complainant access to edited copies of documents with certain information deleted on the basis it was exempt under several clauses, including clause 3(1) of Schedule 1 to the FOI Act.

During the course of the external review the agency gave the complainant access to some additional information. The complainant maintained that the remaining disputed information was not exempt under clause 3(1), that the release of the information would not identify individuals and that the public were entitled to know the information.

The A/Commissioner was satisfied that disclosure of the disputed information, when considered with the information to

which access had already been given, would disclose personal information that was prima facie exempt under clause 3(1). The A/Commissioner did not consider that the public interest in disclosing that personal information outweighed the privacy of those individuals, or that the disclosure of very specific medical information about individual patients would make the agency more accountable or enable the public to participate more effectively in the governing of the State. Accordingly, the A/Commissioner found that the disputed information was exempt under clause 3(1).

The agency's decision was confirmed.

#### **FOI in WA Conference – 'Recognising and building our FOI capacity'**

Agencies play a critical role in helping to achieve the legislative objects of the FOI Act to enable greater public participation in our democracy and make government more accountable to the public. Effective freedom of information relies on capable agency decision-makers and an environment in which FOI is an effective part of an agency's operations.

In recognition of this and a result of discussions with the Agency FOI Coordinator's Reference Group, the OIC held its inaugural 'FOI in WA Conference' on 10 August 2017 at the Fiona Stanley Hospital Education Building.

Professor John McMillan AO, Acting NSW Ombudsman, accepted our invitation to be our key note speaker for the conference. In addition to being the inaugural Australian Information Commissioner from 2010 to 2015, he has held

positions as the Commonwealth Ombudsman and the Acting Integrity Commissioner for the Australian Commission for Law Enforcement Integrity. He is also an Emeritus Professor at the Australian National University, where he taught administrative and constitutional law from 1983-2003.

The keynote speech was followed by the panel discussion 'FOI in 2017 – the Challenges and Opportunities to Achieving the Objects of the FOI Act'. Cathrin Cassarchis, the WA State Archivist and Executive Director State Records; Giles Nunis, the former WA Government Chief Information Officer; and Lynsey Warbey, Commissioner's Counsel at WA Police, joined Professor McMillan in this panel discussion chaired by the former WA Information Commissioner, Sven Bluemmel.



Panel members: S Bluemmel (chair), C Cassarchis, J McMillan, L Warbey, and G Nunis

**'Professor McMillan was a highlight. I found him to be an excellent speaker and gave a broader view on how FOI works nationally and in other States.'**

**[conference survey respondent]**

A number of concurrent sessions followed, which allowed participants to attend sessions that were most relevant to them. These were delivered by FOI practitioners from the sector and by officers from the State Solicitor's Office and the OIC. Together with some sessions that considered particular exemptions under the FOI Act, topics included:

- The practicalities of managing FOI applications and FOI knowledge
- Quality information, quality archives and the ethics of online access
- Third party information – what you need to know
- Developing in-house FOI awareness
- Interpersonal skills for FOI Coordinators
- Perspectives on refusing to deal with an access application
- Considering disclosure outside of the FOI Act
- Managing difficult conversations



The day concluded with the Information Commissioner's presentation 'FOI in WA – what you do and how you do it matters'.

From the point of view of the OIC it was a successful day with 269 officers attending from the State and local government

**'Networking with so many other FOI people made me realise how many other people are out there dealing with the same issues every day.'**

**'It helped to update and refresh my understanding of my responsibilities as a records officer toward FOI.'**

**[conference survey respondents]**

sectors. Shortly after the conference a survey was sent to all attendees seeking their feedback and of 141 respondents, 99% stated that the conference met or exceeded their expectations and 89% agreed or strongly agreed that the day provided information that they could apply in their work.

The conference was coordinated by Alison McCubbin, Coordinator Education and Communications. Alison was assisted by the Conference Steering Committee, consisting of OIC staff and agency FOI practitioners.



Conference Steering Committee members: A McCubbin, OIC; L Roberts, Department of Transport; S Bluemmel, OIC; L Simpson, Department for Child Protection and Family Support; N Xanthis, Department of the Premier and Cabinet; M Fitzgerald, OIC; T Manton, Main Roads WA; H Stanley, Royal Perth Hospital; A Jordan-Keane, Fiona Stanley Hospital; S Sanders, Department of the Premier and Cabinet; and K Bracknell, OIC.

The contribution and willingness of the Committee members to share their time, skills and experience to assist in developing a successful conference to improve the administration of freedom of information in Western Australia is much appreciated.

We are especially indebted to Fiona Stanley Hospital for allowing us to use their facilities, and also to the hospital's volunteers for their invaluable assistance.

‘...meeting other agency people who also handle FOI applications. It was great to know that I'm not alone!’

‘I left the conference with some really good ideas on how to better communicate FOI within my workplace.’

[conference survey respondents]

### Training and briefings for individual agencies

An understanding of the basics of freedom of information should form part of any public sector employee's competency, and the OIC provides in-house briefings to agency staff to assist with this. The decision to give more specific onsite decision-making training is based on the needs of particular agencies and the resources of the OIC. Where possible agency decision-makers are encouraged to attend the training at OIC premises.

The A/Commissioner wrote to the Directors General of the agencies those were impacted by Machinery of Government amalgamations and offered a briefing for their Corporate Executive officers about the responsibilities and opportunities

provided by the FOI Act. Briefings were subsequently provided to: the Department of Biodiversity, Conservation and Attractions; the Department of Local Government, Sport and Cultural Industries; the Department of Education; the Department of Water and Environmental Regulation; and the Department of Justice.

### Briefings for community service groups

This year the OIC has provided joint presentations with the Public Sector Commission and Ombudsman to three community groups.

Briefings for community groups and not-for-profit groups can equip advocates with the skills to make effective access applications. While briefings for advocacy groups include advice about rights to access documents under the FOI Act, they also stress the desirability of working with agencies to achieve a mutually acceptable outcome. These briefings can help to ensure that applicants are realistic in their expectations of what an agency can provide.

### Speaking engagements

The A/Commissioner and other staff have been guest lecturers at a number of WA Universities introducing students to important legal issues associated with freedom of information legislation. Invitations were also accepted to talk about freedom of information to a variety of groups that recognise the importance of freedom of information to their members and to the wider society.

[Table 8](#) under OIC Statistics lists all the training and presentations undertaken during the year.

## Audit

### Internal audit

In June 2018, OIC engaged Braxford Consultancy to conduct an audit of the OIC's finance, human resource and asset processes. Five recommendations of medium to high risk were made, including ensuring policies are updated in a timely manner and ensuring clear responsibilities and segregation of duties are defined. A major factor contributing to these risks were an unusually high number of key staff movements and competing priorities.

This audit has shown how unexpected changes in a small office can have a significant effect which, without appropriate processes and safeguards in place, exposes us to non-compliance and risk. These issues will be a focus going forward.

Braxford Consultancy also conducted our annual State Supply Commission audit for the period 1/5/17 – 30/4/18. The audit found that we were partially compliant and made the following three recommendations: ensuring appropriate expiry dates are indicated on contracts and are reviewed after appropriate periods; monitoring long-standing and ongoing contracts to ensure accumulated costs potentially reaching the \$50,000 value threshold are published on Tenders WA; and ensuring the contracts register fully complies with Treasurer's Instruction 820.

All the findings and recommendations were accepted and are pending action.

### External audit

As with the previous two years, the external audit of the OIC by the Office of the Auditor General has been conducted in two stages: the first stage for the financial statements and the second stage for the key performance indicators. Delaying the audit of key performance indicators allows survey data collected throughout July from State and local government agencies to be properly collated and reviewed.

The need to incorporate our finance policies into a comprehensive finance manual was highlighted, and a completion date of 31 December 2019 was provided to the Auditor General.

## Our Resources

### Agency FOI Coordinators Reference Group (AFRG)

The AFRG, formed in August 2015, meets quarterly and currently consists of some staff of the OIC and officers from ten agencies that are representative of the different agency types in the sector. The purpose of the AFRG is to promote and advocate good FOI practice and the meetings continue to provide an opportunity for the OIC to hear directly about current issues facing agencies with respect to freedom of information.

These discussions are an important contributing factor to the advice and awareness activities of the OIC. It was feedback via the reference group meetings that prompted the OIC to host a conference for FOI practitioners, which led to the FOI in WA conference held on 10 August 2017 (see page [19](#)).

Members of the AFRG are encouraged to share information from meetings of the group with similar agencies and to feed information back from those agencies to the group.

### FOI Newsletter

The OIC publishes a newsletter every two months which provides an opportunity to address current or recurring FOI issues. While the information contained in the newsletter is primarily targeted to agency staff, it includes information that may be of interest to members of the public. Subscribers to the newsletter also receive alerts when decisions of the Commissioner are published on our website. Subscriptions can be registered at: <http://oic.wa.gov.au/en-us/UR100>.

### Website

The website address was changed during the year to [www.oic.wa.gov.au](http://www.oic.wa.gov.au).

Wherever possible the OIC's resources are published on the website, including guides for members of the public and agencies; decisions; annual reports; the FOI Coordinator's Manual; the OIC's newsletter; the customer service charter; the Disability Access and Inclusion Plan; the gift register; and corporate credit card statements.

Requests for attendance at our training courses are also registered via our website.

### Online decision search tool

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

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 decision notes, which are not as comprehensive as full decisions but are 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 both full decisions and decision notes.

The decision search facility is a very helpful tool for FOI practitioners to search for precedents relevant to matters they are dealing with.

The Commissioner's decisions are also available and searchable on the Australasian Legal Information Institute (**AustLII**) [website](http://www.austlii.edu.au) under Western Australia case law. AustLII

provides a free online database of Australasian legal materials.

## Publications

The OIC maintains a suite of online guides for agencies to assist them meet their obligations under the FOI Act. For members of the public, guidance on making FOI applications and understanding the FOI process is provided. [Table 11](#) lists the current publications that provide FOI assistance.

The FOI Coordinator's manual is used for the FOI Coordinator's workshop run throughout the year and is also available online. It is a comprehensive reference tool for FOI Coordinators and is intended to be an evolving resource. It is updated with new guidance material as required and references to new decisions of the Commissioner when relevant. Version 2.7 of the manual was most recently published in June 2018.

## FOI Coordinators and Decision Writing Workshops

The FOI Coordinators Workshop is the key training forum provided by the OIC. Participants in this workshop include officers who have responsibility for information access processes and decisions within their agencies. Some participants are new to freedom of information and some use the workshop as a refresher to ensure that their agency's processes and policies continue to accord with best practice.

The Decision Writing Workshop aims to build on the same material addressed in the FOI Coordinators Workshop (which can also be obtained by pre-reading the FOI Coordinators Workshop manual) to assist attendees understand what is

needed to write a notice of decision that complies with the requirements of the FOI Act. It also demonstrates an appropriate process to use in reaching a decision in response to an FOI access application.

This year the cap for enrolments was increased from 20 to 25 participants per workshop to counteract the reduction in the number of workshops offered this year. A waitlist is available to ensure we can backfill workshops when there are cancellations.

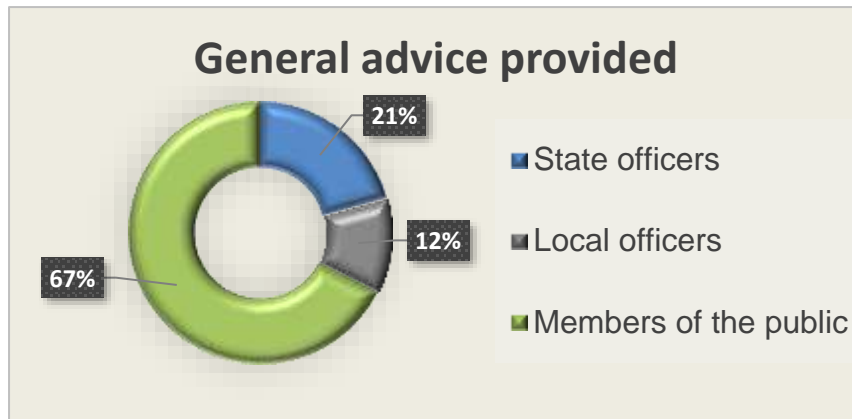
The feedback received about our training has been very positive. It is recognised that participants have a variety of experience and needs. The OIC seeks to address this by providing a clear idea of what will be provided in the training and by having supplementary materials available outside of training.

**'I consider that the training was pitched perfectly to all levels of participant involvement in FOI. The presenters were welcoming, enthusiastic, knowledgeable and engaging. Well done and thank you!'**

**[training survey respondent]**



## Information and assistance service



The OIC provides a general information service for members of the public and agency staff. The information provided is intended to ensure that members of the public are equipped with the knowledge to be able to access documents both outside the FOI Act, where possible, and in accordance with the FOI Act when an access application is appropriate. Agency officers are assisted to understand their obligations under the FOI Act.

Legal advice or specific rulings on particular issues or sets of facts is not provided by OIC staff.

### Our workplace

One of the benefits of a small office is the close-knit environment. The OIC maximises the benefits of this through the long standing establishment of a staff funded social club that organises events throughout the year to unwind and strengthen relationships.

Our operational plan includes the development and implementation of an office wellness policy to formalise our commitment to looking after our employees. The physical, mental and emotional wellbeing of staff is vital in a happy and productive environment. Volunteering in community events is encouraged and is an area staff have agreed to build on.

### Law Week Walk for Justice

On 15 May 2018, for the third year the OIC fielded a team of walkers to participate in the 4.4 km Law Week Walk for Justice along the Perth foreshore, with representatives from major law firms, barristers and judicial officers. The walk was led by the Chief Justice of Western Australia to raise funds for the charity Law Access, which matches individuals and community organisations seeking legal assistance with pro bono lawyers. Law Access assists some of the most vulnerable people in WA, who would otherwise be unable to obtain legal assistance.

OIC staff raised \$300.00 which contributed to the overall total raised of over \$40,000.

### Tristan Jepson Memorial Foundation

The OIC continues to support the Psychological Wellbeing Best Practice Guidelines for the Legal Profession developed by the Tristan Jepson Memorial Foundation. The Foundation is an independent, volunteer, charitable organisation whose objective is to decrease work-related psychological ill-health in the legal community and promote workplace psychological health and safety.

## Significant Issues and Trends

### Recommended legislative and administrative changes

The FOI Act requires the Information Commissioner to include in the annual report any recommendations as to legislative or administrative changes that could be made to help the objects of the FOI Act to be achieved.

#### Refusal to deal with amendment applications

The A/Commissioner's decision in *Re Appleton and Department of Education* [2017] WAICmr 20 (see page [14](#) of this report) highlighted the potential merit in amending the FOI Act so that an agency is expressly permitted to refuse to deal with an application to amend personal information made under Part 3 of the FOI Act, if the work involved in dealing with the application would divert a substantial and unreasonable portion of the agency's resources away from its other operations.

As the A/Commissioner noted in *Re Appleton* at [67], section 20 of the FOI Act permits an agency to refuse to deal with an access application but does not expressly extend to or apply to applications for amendment of personal information. The A/Commissioner considered that Parliament did not envisage or intend that the amendment provisions in the FOI Act would require an agency to deal with an application for amendment of the size the complainant had made in that case.

As an example of this type of provision, section 60 of Queensland's *Information Privacy Act 2009* permits an agency to refuse to deal with an access or amendment application when the agency considers the work involved in dealing with the application would substantially and unreasonably divert the resources of the agency from their use by the agency in the performance of its functions.

#### Refusal to deal with repeat applications

Another legislative change that continues to have merit is an amendment that would give agencies a discretion to refuse to deal with repeat applications for the same document from the same access applicant. This issue has been raised by previous Commissioners in past annual reports, most recently in 2010, and was among the proposed amendments in the *Freedom of Information Amendment Bill 2007*.

Listed below are the legislative changes that the Commissioner recommended in last year's report. These recommendations remain.

#### Consultation with officers of government agencies

Section 32 of the FOI Act presently requires an agency not to give access to a document containing personal information about a third party unless the agency has taken such steps as are reasonably practicable to obtain the views of that third

party as to whether the document contains matter that is exempt personal information under clause 3 of Schedule 1.

Third parties may include officers of government agencies. Certain 'prescribed details' about those officers, such as their names, positions and things done in the course of their duties, are not exempt under clause 3. However, section 32 requires agencies to consult with officers of government agencies, even when the personal information about them amounts to prescribed details and is not exempt. This is often time consuming without adding anything towards achieving the objects of the FOI Act.

As recommended in previous annual reports to Parliament, the Commissioner recommends the amendment of section 32 to remove the requirement to consult an officer of an agency in respect of the disclosure of personal information about them that consists of prescribed details only. Such an amendment would not prevent an agency from seeking the views of officers where it would still be prudent to do so, for example where the agency considers that disclosure of information to an access applicant may endanger the safety of an officer of an agency.

### Outdated references to intellectually handicapped persons and closest relative

Sections 23(5), 32(4) and 98 of the FOI Act refer to 'intellectually handicapped persons'. For consistency with other legislation and in keeping with good practice, this should be replaced by a more appropriate and modern term (such as 'persons with intellectual disability').

Sections 32, 45 and 98(b) currently use the term 'closest relative' which is inconsistent with the term 'nearest relative' in section 3 of the *Guardianship and Administration Act 1990*. This sometimes causes difficulties for agencies in identifying the closest relative for the purposes of the FOI Act and should be amended to 'nearest relative', as defined in the *Guardianship and Administration Act 1990*, for consistency and to remove ambiguity.

### Appointment of staff by the Information Commissioner

Under section 61(1) of the FOI Act, all OIC staff – other than those seconded from other State government agencies – are appointed by the Governor in Executive Council on the recommendation of the Commissioner. This can result in a delay of up to a month in making an offer of employment to a preferred candidate after the selection process has concluded. It also adds to the workload of Cabinet and Executive Council.

The Commissioner recommends an amendment to section 61(1) to allow the Commissioner to appoint staff directly.

### Not confirming the existence of documents exempt under clause 14(5) of Schedule 1

The exemption in clause 14(5) of Schedule 1 to the FOI Act provides that matter is exempt if its disclosure would reveal or tend to reveal the identity of certain persons whose identity needs to be protected in the public interest. It would be desirable for section 31 of the FOI Act to be amended to expressly provide that nothing in the Act requires an agency



to give information as to the existence or non-existence of a document containing matter that would be exempt under clause 14(5).

### Public health facilities operated by non-government operators

A number of privately operated health facilities provide public patient services pursuant to contracts between the operator and the Minister for Health. A recent example of this is the Midland Health Campus. Unlike the operators of privately run correctional facilities, these operators are not subject to the FOI Act even to the extent that they are providing publicly funded health services to the public. The FOI Act should be amended to close this gap. One mechanism to do so would be to amend the definitions of 'contractor' and 'subcontractor' in the FOI Act to include such operators.

### Supreme Court appeals

An appeal lies to the Supreme Court on any question of law arising out of a decision of the Commissioner – it is not a further full merits review. 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 not a party to the appeal.

This year, one decision of the Commissioner was the subject of an appeal to the Supreme Court. In that matter, the Commissioner closed his file without making a decision under section 67 or 76 of the FOI Act on the basis that the matter had been resolved by conciliation. The complainant lodged

an appeal. The Supreme Court delivered its judgement on 15 August 2018 (which is outside the reporting period), upholding the appeal in part and remitting the matter to the Commissioner. See *Pearlman v The University of Western Australia* [2018] [WASC 245](#).

At the end of the previous reporting period there were three outstanding appeals before the Supreme Court arising out of the Commissioner's decisions. The outcome of those appeals are as follows:

- On 11 July 2017, an order was made by Justice Martino discontinuing the appeal arising from the Commissioner's decision in *Re Johnston and Department of State Development* [2017] [WAICmr 1](#) upon consent orders filed by the parties.
- On 26 October 2017, the Supreme Court delivered its judgement on the appeal filed by the complainant against the Commissioner's decision in *Re 'S' and Department for Child Protection and Family Support* [2017] [WAICmr 10](#). Acting Justice Smith upheld the appeal in part and remitted the matter to the Commissioner: see *S -v- Department for Child Protection and Family Support* [2017] [WASC 305](#).
- On 16 February 2018, the Supreme Court delivered its judgement on the appeal filed by the agency against the Commissioner's decision in *Re Seven Network (Operations) Limited and Public Transport Authority* [2017]

[WAICmr 12](#). Acting Justice Smith upheld the appeal: see *Public Transport Authority* [2018] [WASC 47](#).

## Association of Information Access Commissioners (AIAC)

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

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

In addition to the Commissioner's participation at AIAC meetings, officers from the OIC and the other jurisdictions have participated in working groups arising from the OIC's participation in the AIAC. By phone conference, the OIC have participated in a communications networking group, a working group about the national open government metrics and a working group to consider features that might be present in an optimal freedom of information legislative framework.

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

## Open Government Partnership and National Action Plan

The multilateral Open Government Partnership (**OGP**) was created to secure commitments from governments to promote transparency, empower citizens, fight corruption, and harness technologies to strengthen governance. There are now 70 countries – including Australia – participating in the OGP.

On 7 December 2016, the Australian Government announced the finalisation of Australia's first Open Government National Action Plan (**the Plan**). The Plan contains 15 commitments which focus on transparency and accountability in business; open data and digital transformation; access to government information; integrity in the public sector; and public participation and engagement.

AIAC members, led by the New South Wales Information and Privacy Commission, contributed to the development of the Plan through the inclusion of Commitment 3.2 on information access rights utilisation.

On 27 November 2017, the respective AIAC members released national metrics on FOI access rights and published the inaugural dashboard of metrics on the public's use of freedom of information access rights.

The metrics will enable the community to examine the performance of their local FOI laws and to advocate accordingly, as well as improving community understanding of how FOI laws work and how to access them.

‘The right to access information is a fundamental tenet of Open Government. The dashboard of metrics on public use of FOI access laws is a first for Australia. The dashboard reflects the currently available data that is reasonably comparable across jurisdictions and the priority in Australia’s first Open Government National Action Plan to promote the importance of better measuring and improving our understanding of the public’s use of rights under freedom of information laws. We encourage the community to use the dashboard to better understand how FOI laws can be used to ensure government is releasing and providing access to more information to build public trust and promote an effective and contemporary model of Open Government that is fair, accountable and transparent.’

[joint AIAC media statement]

The dashboard of FOI metrics is available from the NSW Information Privacy Commissioner’s [website](#).

Further information on Australia’s involvement in the OGP, including the Plan, is available at [ogpau.pmc.gov.au](http://ogpau.pmc.gov.au). See also our [website](#) for a summary of the OIC’s involvement.

### Submissions and consultations

The Commissioner and A/Commissioners have made the following submissions in respect of legislative proposals or administrative practices affecting the FOI Act, information disclosure generally or the OIC.

### Transparency in Government Projects

In August 2017, the Commissioner was given a copy of a discussion paper entitled: Transparency in Government Projects by the Special Inquiry into Government Programs and Projects (**the Inquiry**) and was invited to provide a [submission](#) on the paper’s contents, which the A/Commissioner provided on 29 September 2017. In February 2018, the Inquiry published its report that it had provided to the State Government and item 4.3 on page 83 of Volume 1 of the Inquiry’s report deals with transparency. The full report of the Inquiry can be accessed from the Public Sector Commission’s website using the following links:

- [Volume 1](#)
- [Volume 2](#)

## Data Sharing Advisory Group

As noted in the OIC's 2015/16 annual report (at page [24](#)), in 2016 the Commissioner made a submission to the Data Linkage Expert Advisory Group in respect of the second key focus area 'to examine the barriers and impediments to data linkage, and address how they can be improved'. The Commissioner submitted that the absence of privacy legislation in WA could frustrate data linkage initiatives, as it potentially does now in respect of information sharing between WA public sector agencies. This office remains of the view that any data sharing regime should appropriately protect the privacy of personal information.

The Data Linkage Expert Advisory Group Report (**the Report**) entitled '[Review of Western Australia's Data Linkage Capabilities](#)' dated December 2016 was publicly released on 13 October 2017. The Report recommended, among other things, that the State Government draft privacy legislation and consider the formulation of data sharing legislation (page 16). The Report also recommended that this office be a member of the Policy & Legislation Working Group to implement the recommendations relating to privacy and data sharing legislation.

The [Final Report](#) of the Service Priority Review published in October 2017 recommended that immediate steps be taken to develop legislation to facilitate information sharing while protecting sensitive personal and other information (recommendation 6.1).

In January 2018, the Department of the Premier and Cabinet invited this office to join a small inter-agency Data Sharing Advisory Group, to review and comment on data sharing policy, drafting instructions and draft legislation, for consideration by Government in 2018.

After attending the first meeting of the Advisory Group in February 2018, this office decided that, as an independent statutory office, it is not appropriate to be involved in the development or endorsement of a particular government policy. As a result, this office has not attended further meetings of the Advisory Group but remains willing to provide future assistance to the project on specific issues within the constraints of our role when requested.

## Working Group on Public Sector Efficiency – reducing red tape

The Public Sector Efficiency Working Group was convened by the Public Sector Commissioner to identify opportunities to reduce internal 'red tape', waste and inefficiencies in the public sector. In July 2017 the Commissioner provided a submission outlining opportunities to reduce inefficiencies related to the administration of the FOI Act. These included: proactive disclosure outside the FOI Act; investment in well-trained FOI officers with commensurate levels of authority; and the importance of raising awareness of FOI responsibilities and possibilities within agencies.

The Working Group's final report dated 31 October 2017 (available on the Public Sector Commission's [website](#)) recommended that the Commissioner should 'consider building on recent efforts to avoid agencies over complicating responses to freedom of information requests' (Recommendation 28.4).

**'Well planned and coordinated information disclosure policies and procedures in agencies that reflect a default position of public disclosure wherever practicable, would reduce the time and resources that would otherwise be required to process formal information access requests under the FOI Act.'**

**[from the Commissioner's submission to the Working Group on Public Sector Efficiency]**

## FOI in the sector

The total number of applications made to agencies in 2017/18 decreased by approximately 0.3% from the previous reporting year, and only a small percentage of these matters come to the OIC for review. Trends and issues faced by agencies are

- 17,258 applications were made to agencies.
- 90% of decisions made by agencies were to provide access in some form.
- The most used exemption continues to be for the protection of personal information about third parties.
- The average time taken by agencies to process FOI applications remains well within the 45 day limit.

recognised through the external review process or via our Advice and Awareness service. How agencies manage their FOI responsibilities and information disclosure generally can impact on the volume of matters dealt with by this office.

The OIC endeavours to provide agencies with the tools to promote proactive disclosure and reduce the impact FOI can have on agency resources.

A more detailed analysis of agency statistics (as required under the FOI Act) can be found in the [Disclosures and Legal Compliance](#) section.

### The importance of internal review

If a person is dissatisfied with a FOI decision made by an agency, they can request an internal review by the agency. Last year 32% of agency decisions were varied or reversed by agencies on internal review.

The internal review is an important aspect of the FOI process. It provides a cost effective, quick and accessible form of review and reduces the likelihood of a matter being subject to external review. Sometimes agencies elect to have the principal officer of the agency make the initial decision in relation to an access application. The effect of this is that internal review is not available and the only option for a dissatisfied applicant is to apply directly to the Commissioner for external review. This is not a desirable outcome and the practice of the principal officer of an agency routinely making the initial decision is discouraged.

### Cooperation among agencies

It is pleasing to note that number of agency information sharing groups are operating in the freedom of information area. Like-agencies are cooperating to share resources and knowledge specific to the kinds of issues they deal with in relation to the FOI Act. The OIC is aware of a Local Government Networking Group, a University FOI Networking Group and a Public Sector Networking Group. This year a representative from the OIC was invited to attend a meeting of the Local Government Networking Group.

The OIC is more than happy to provide information to these groups while allowing the participants the opportunity to discuss issues they may face with specific kinds of information among themselves. For participants in these groups, it is an opportunity to share resources and ideas and to support each other in a context where there may be a limited number of FOI practitioners or knowledge within their own agency, or none at all.



# Disclosures and Legal Compliance

## Report on agency statistics

Section 111 of the FOI Act requires that the Commissioner's annual report to the 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 2017/18 is set out in detail in the statistical tables in the [Agency Statistics](#) chapter of this report. The following is an overview.

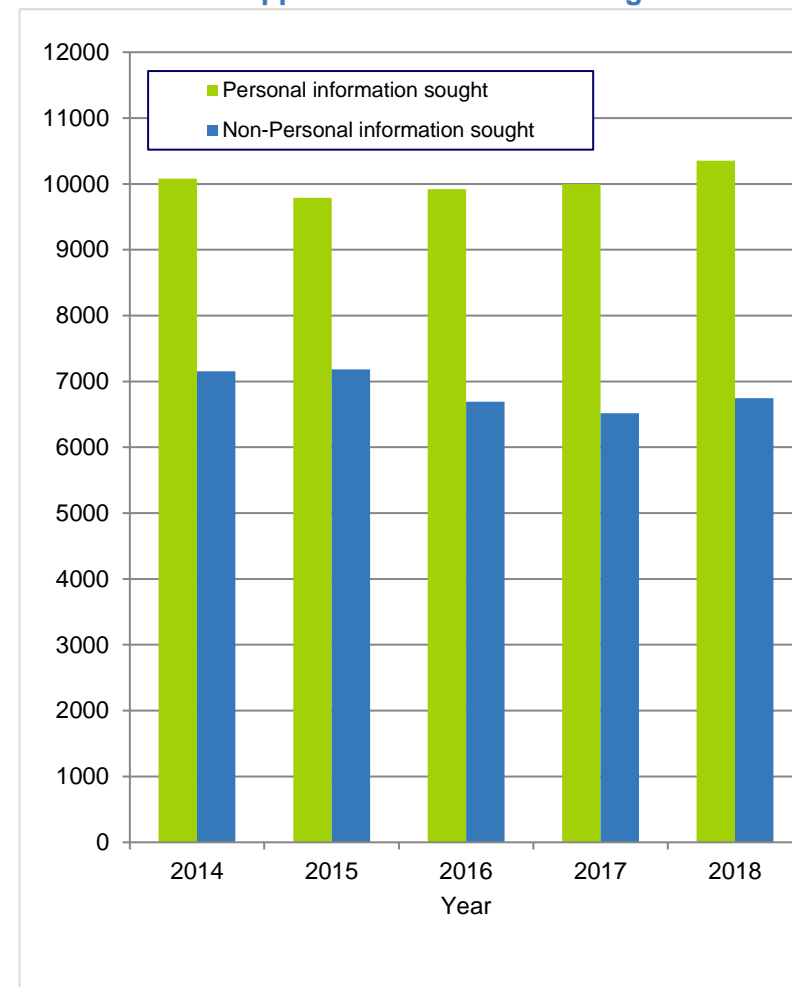
The number of access applications made to agencies under the FOI Act was 17,258 for the year under review. This represents a slight decrease from last year (17,306).

### Decisions

As can be seen in [Table 14](#), of the decisions on access made by Ministers in the reporting period, 10 were to give full access; 58 were to give access to edited copies of documents; and six decisions were to refuse access. In eight cases no documents could be found.

[Table 14](#) also reveals that 14,892 decisions on access were made by State government agencies (exclusive of local government agencies and Ministers) in 2017/18. Note that there were 248 more applications withdrawn during 2017/18 than then previous year.

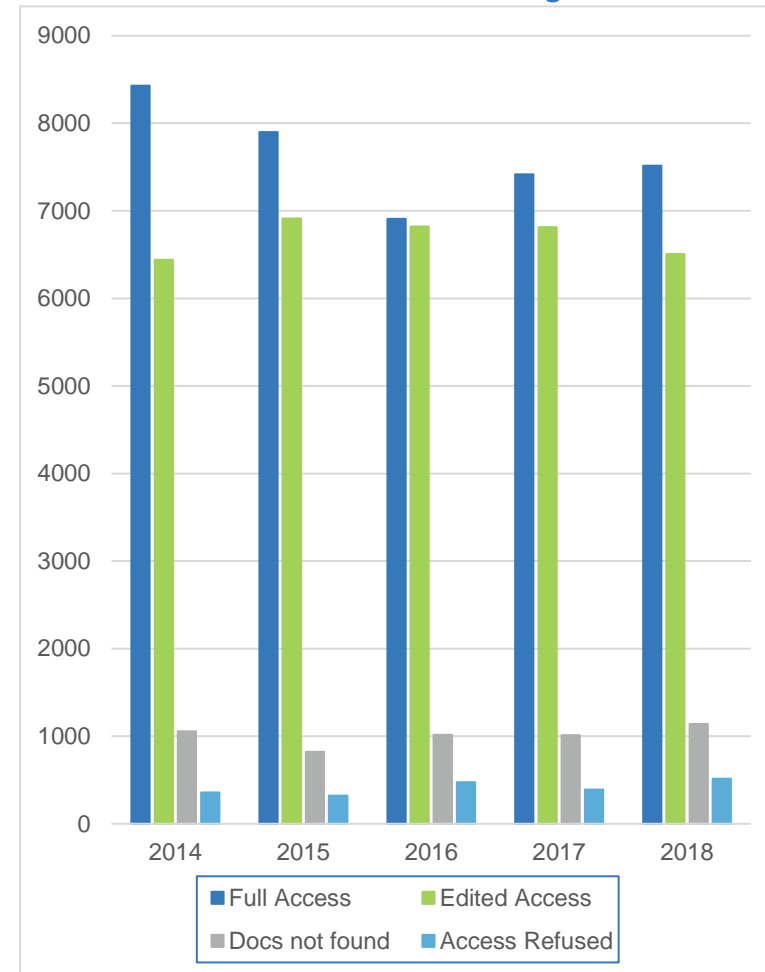
**Figure 1**  
Number of applications decided – all agencies



- 49.5% of decisions (49.2% in 2016/17) resulted in the applicant being given access in full to the documents sought
- 39.5% (41.6% in 2016/17) resulted in the applicant being given access to edited copies of the documents sought
- 0.6% (0.2% in 2016/17) resulted in either access being given but deferred, or being given in accordance with section 28 of the FOI Act (by way of a medical practitioner)
- In 7.2% of applications (6.5% in 2016/17) the agency claimed the requested documents either did not exist or could not be found
- 3.2% of the decisions made (2.5% in 2016/17) were to refuse access.

The above figures indicate that approximately 89.6% of the 14,892 decisions made by State Government agencies on FOI applications were to the effect that access in some form was given (91.0% in 2016/17).

**Figure 2**  
Outcome of decisions – all agencies





## Exemptions

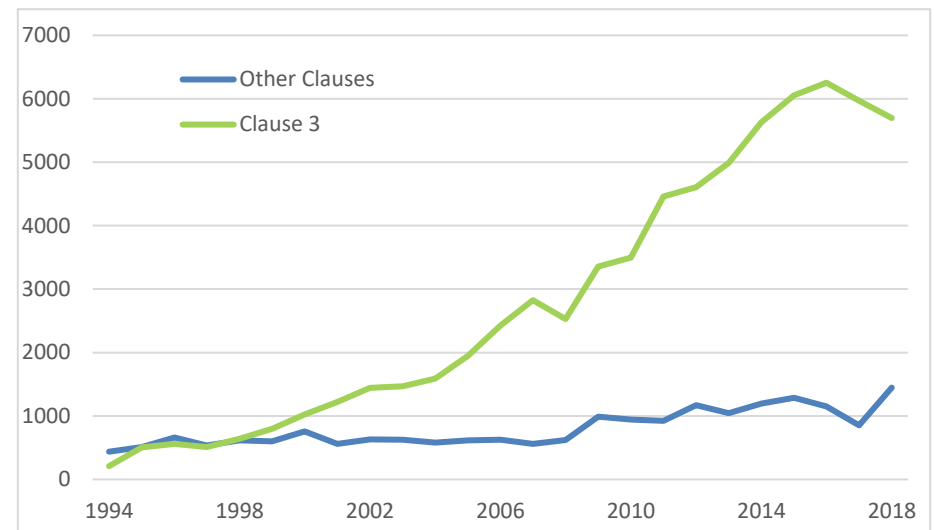
Also consistent with previous years, the exemption clause most frequently claimed by agencies from both State and local government sectors (excepting those claimed by Ministers and described below) was clause 3, which exempts from disclosure personal information about individuals other than the applicant. That clause was claimed 5,657 times in the year under review. Figure 3 compares the use of this clause with all other clauses used since 1993/94, which indicates continued use of that exemption to protect personal privacy.

The next most frequently claimed exemptions were:

- clause 5, which relates to law enforcement, public safety and property security (371 times);
- clause 7, which protects from disclosure documents which would be privileged from production in legal proceedings on the ground of legal professional privilege (225 times);
- clause 4, which relates to certain commercial or business information of private individuals and organisations (192 times);
- clause 14, which relates to information protected by certain statutory provisions (136 times); and
- clause 8, which protects confidential communications in some circumstances (131 times).

Consistent with the previous reporting period, the exemption clauses claimed most by Ministers were clause 3 (personal information); clause 12 (contempt of Parliament or court) and clause 1 (Cabinet and Executive Council). See [Table 15](#) for further detail.

Figure 3 – Use of exemption clauses



## Internal review

Agencies received 296 applications for internal review of decisions relating to access applications during 2017/18 (see [Table 16](#)). This represents approximately 1.9% of all decisions made and approximately 57% of those decisions in which access was refused. In the year under review, 292

applications for internal review were dealt with (including some that were received in the previous period). The decision under review was confirmed on 185 occasions, varied on 93 occasions, reversed on 11 occasions and the application for internal review was withdrawn on three occasions.

### Amendment of personal information

Agencies received 26 applications for amendment of personal information during the year (see [Table 17](#)). A total of 28 applications were finalised, including some that were received in the previous period. These were dealt with as follows:

- information was amended on seven occasions;
- not amended on 17 occasions; and
- amended, but not as requested, on four occasions.

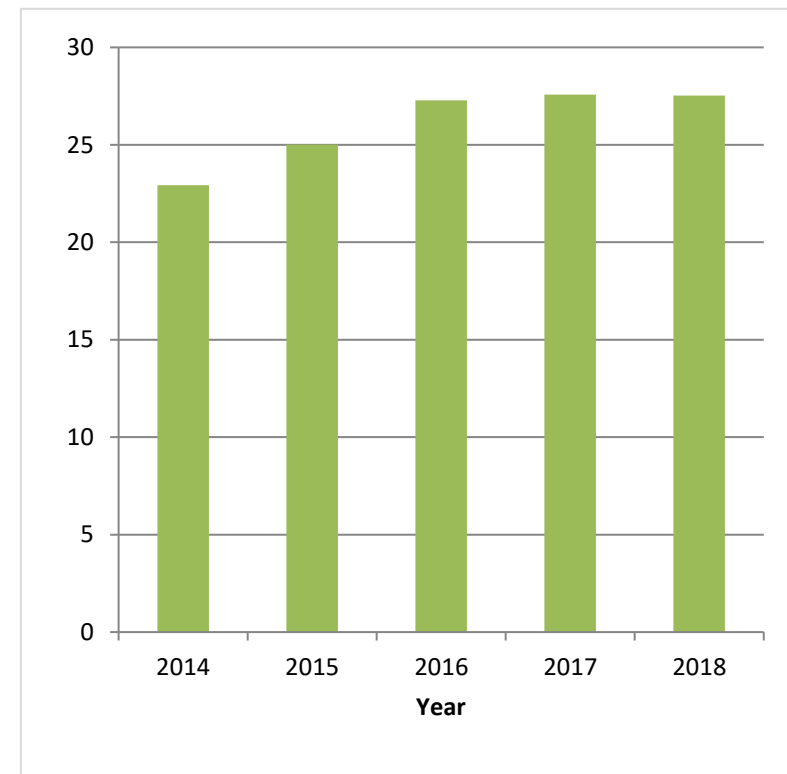
None of the applications received were subsequently withdrawn.

Of the five applications for internal review of decisions relating to the amendment of personal information dealt with during the year (including one that was received in the previous period), four decisions were made to confirm the original decision and two decisions were varied (see [Table 18](#)).

### Average time

The average time taken by agencies to deal with access applications (27.53 days) is slightly lower than the previous year (27.57 days) and remains well within the maximum period of 45 days permitted by the FOI Act (see Figure 4).

**Figure 4**  
Average days – all agencies



### Average charges

The average amount of charges imposed by agencies for dealing with access applications increased slightly to \$9.81 (\$8.58 in 2016/17).

**Figure 5**  
Average charge for access – all agencies



### Other financial disclosures

- All 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.
- The OIC has no capital works projects.
- There were no workers' compensation claims made during the reporting period.
- There was no unauthorised use of corporate credit cards during the period.

### Employment and industrial relations

#### Staff profile

	2018	2017
Full-time permanent	7	9
Full-time contract	1	1
Part-time measured on a FTE basis	2.2	1.4

### Staff movements

This year saw an unusually high amount of significant staff movements: a redundancy under the Voluntary Targeted Separation Scheme; a retirement; an officer on parental leave; two resignations; two acting arrangements; a secondment; two recruitment processes; and one new appointment.

### Commissioner's role

Following the resignation of Sven Bluemmel in September 2017, two Acting Information Commissioners were appointed successively.

Sven Bluemmel held the Information Commissioner position from May 2009 until September 2017. He resigned to take up the position of Victorian Information Commissioner.

Su Lloyd was appointed to the Principal Legal Officer position in November 2012 and retired in April 2018. Prior to her retirement she was appointed Acting Information Commissioner for six months.

Lisa Ward was appointed Acting Information Commissioner from 31 March 2018 for a 12 month term. However she resigned from the position after approximately three months to take up a permanent appointment as a Magistrate from 16 July 2018.

### **Staff development**

#### Continuing Staff Development (CPD)

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

#### Other professional development

A structured individual professional development program for staff has been recognised in the OIC's strategic plan as a positive development for the future. The A/Information Commissioner initiated individual staff professional development programs in late 2017 and we will continue to follow these up in the future.

### **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.
- There has been no expenditure on advertising, market research, polling or direct mail.

## Conflicts of interest

The OIC maintains a Conflicts of Interest Register. During the reporting period, four potential conflicts were brought to the Commissioner's attention by the officer with the potential conflict. All related to the officer having an external link in some way with either a party to an existing external review matter, or a potential external review matter. The Commissioner confirmed there was no current conflict with one matter and that there was potential conflict with the remaining three, which was managed by the relevant officer not being involved in the external review.

## Gifts register

The OIC's gifts register is available on our website at <http://oic.wa.gov.au/H004>. Five gifts were registered during the reporting period: four were accepted and one was declined. 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 (eg purchasing discretion) are declined.

## Disability Access and Inclusion Plan

The OIC lodged a progress report to the Disability Services Commissioner in respect of its Plan in June 2018. Fifteen strategies are outlined in the Plan with ten already implemented, as follows:

- Provide a mechanism on the OIC website for people with disability to comment on access to our services, including being able to exercise their rights under the FOI Act
- Ensure organised events consider accessibility for people with disability
- Ensure physical access to the OIC's premises is equally available to all persons, regardless of disability
- Upgrade the OIC website to ensure the content meets WCAG guidelines
- Create and disseminate to staff a disability access and inclusion policy
- Arrange training to staff on communicating with people with mental health issues or communication difficulties
- Ensure requests for public consultations are conducted in a way that will invite and include people with disability
- Ensure the OIC's current Plan is available for public comment
- Ensure that recruitment activities are accessible to people with disability
- Ensure staff with disability are provided with appropriate support to carry out their responsibilities

In July 2017 the OIC was able to complete one of the outstanding strategies to arrange staff training on communicating with people with mental health issues or communication difficulties. A full day Mental Health Communication training course was attended by all staff in July 2017.

The OIC is committed to ensuring that people with disability, their families and carers are able to fully access the range of services and facilities of the office. The OIC will, whenever required, consult with people with disability, their families and carers and disability organisations to ensure that barriers to access and inclusion are addressed appropriately.

The Plan 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 Code of Ethics. The OIC also has an employee grievance resolution policy in place. All new staff are provided with a copy of the Code and grievance policy as part of an induction pack, and these documents are also available to all staff on the OIC's knowledge management system.

Improving our policies and procedures is always encouraged through open discussion and regular reviews.

### Occupational health, safety and injury management

The OIC is committed to an occupational safety and health and injury management system which has been established by the OIC for the benefit of all staff. A documented injury management system is in place which is compliant with the *Workers' Compensation and Injury Management Act 1981* and the associated *Workers' Compensation Code of Practice (Injury Management) 2005*. This system has been formally introduced to staff and is made available through the OIC's knowledge management system.

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

### Records Management

The OIC's recordkeeping systems have been evaluated and considered to be suitable to the size of the office. During the last review of our recordkeeping plan provided to the State Records Office, areas of improvement were identified in respect of disaster recovery and archiving/disposal. No further progress was made during 2017/18 regarding these issues, and remain on the agenda.



Training in the use of the recordkeeping system is provided as required depending on staff turnover. The system in use is very basic and does not require the use of complex databases.

New staff are provided with a copy of the OIC's Recordkeeping Manual and policy at induction. General staff responsibilities in respect of recordkeeping practices are minimal (other than ensuring they retain relevant records) as the filing protocols are centralised to one officer.

# 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 2018.

Catherine Fletcher  
Acting Information Commissioner

28 August 2018

Tony Pruyn  
Complaints Coordinator

28 August 2018



## Government Goal

### Strong Communities:

Safe communities and supported families.

### Desired outcome

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

### Description

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

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

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

### Service 1: Resolution of Complaints

### Service 2: Advice and Awareness

The intent of the FOI Act is to ensure that proceedings on external review are conducted with as little formality and technicality as the requirements of the FOI Act and a proper consideration of the matters before the Commissioner permit. Therefore, when dealing with 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 reasonable to do so or, 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 which establishes routine information disclosure outside formal FOI processes is encouraged so that the impact of the obligations placed on agencies by the FOI Act on the day-to-day operations of those agencies is minimised. Many potential disputes are also resolved informally with assistance from the OIC.

The Performance Indicators (**the PIs**) 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 PIs and two Efficiency PIs, which are summarised below:

### Effectiveness performance 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.

### Efficiency performance indicators

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

## Effectiveness performance indicators

### Satisfaction of parties with external review process

	2013	2014	2015	2016	2017	2018
Target	80%	80%	80%	80%	85%	85%
Outcome	86%	85%	86%	86%	88%	80%

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

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

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

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

A PRQ was sent to 276 parties who participated in an external review process following finalisation of the review process. 123 participants returned a completed PRQ. 65 responses were received from agencies and 58 were received from complainants.

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 123 respondents, 99 (80%) 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

	2013	2014	2015	2016	2017	2018
<b>Target</b>	98%	98%	98%	98%	98%	98%
<b>Outcome</b>	98%	98%	98%	99%	98%	99%

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 internet 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 270 State and local government agencies and Ministers. Of the 270 surveys sent, 252 agencies (93%) responded by returning a completed survey. Of the 252 respondent agencies, 202 (80%) confirmed receiving advice and guidance from this office.

Of those 202 agencies that received advice, 201 agencies (99%) expressed satisfaction with the advice and guidance provided to them by this office.

#### The extent to which 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 a complaint cannot be resolved by conciliation between the parties to the complaint, the Commissioner is required to make a formal determination.

The PI set out in 1.3 is designed to represent the success rate of the preferred resolution method. Therefore, the PI shows, as a percentage, those complaints finalised by conciliation as opposed to those complaints that required a decision by the Commissioner.

	2013	2014	2015	2016	2017	2018
Target	60%	60%	60%	60%	60%	60%
Outcome	68%	70%	54%	70%	69%	77%

In total, 420 matters of all types were finalised by the OIC in 2017/18. However, of those 420 matters, only 143 were complaints, as defined in section 65 of the FOI Act. Of the 143 complaints resolved in 2017/18, 110 (77%) 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.

*Note: As a result of a review of the Performance Indicators that was conducted in February 2018, the target for 2018/19 has been increased from 60% to 70%.*

### Efficiency performance indicators

Although the OIC notionally has 11.4 FTEs, it effectively operated in the year with 10.2 FTEs to deliver services under the two main functions prescribed by the FOI Act. As the

primary function of the OIC is to deal with complaints received under the FOI Act, approximately 68% of the OIC's resources are allocated to the complaint resolution (external review) function. The other main function of the OIC is to provide advisory services to agencies and to the public. About 32% 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 PI are only those matters dealt with by the Resolution of Complaints section of the OIC in 2017/18 which were technically formal 'complaints' (see section 65 of the FOI Act) and applications that required a determination under the FOI Act rather than general 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.



	2013	2014	2015	2016	2017	2018
<b>Budget</b>	\$7,455	\$8,067	\$7,946	\$11,133	\$8,067	\$9,190
<b>Actual</b>	\$9,909	\$8,094	\$8,021	\$7,751	\$8,844	\$8,075

The table above reflects the costs incurred in resolving complaints and applications (e.g. to lodge a complaint out of time; permission not to consult; etc.) that may require a determination. It is calculated by dividing the number of complaints and applications resolved by the OIC in 2017/18 (196) into the '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 together with lower costs incurred due primarily to temporary reduced staffing levels.*

## Output 2 – Advice and Awareness Services

### Average cost of advisory services delivered per recipient

In calculating this PI, the total output units delivered by the Advice and Awareness section of the OIC in 2017/18 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.

	2013	2014	2015	2016	2017	2018
<b>Budget</b>	\$208	\$240	\$312	\$208	\$268	\$240
<b>Actual</b>	\$294	\$236	\$228	\$262	\$251	\$249

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 2017/18 (2,996) into 'cost of services' for the Advice and Awareness output.

# Financial Statements



Auditor General

**INDEPENDENT AUDITOR'S REPORT**

To the Parliament of Western Australia

**OFFICE OF THE INFORMATION COMMISSIONER**

**Report on the Financial Statements**

**Opinion**

I have audited the financial statements of the Office of the Information Commissioner which comprise the Statement of Financial Position as at 30 June 2018, the Statement of Comprehensive Income, Statement of Changes in Equity, Statement of Cash Flows, Schedule of Income and Expenses by Service, Schedule of Assets and Liabilities by Service, and Summary of Consolidated Account Appropriations and Income Estimates for the year then ended, and 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 2018 and the financial position at the end of that period. They are in accordance with Australian Accounting Standards, the *Financial Management Act 2006* and the Treasurer's Instructions.

**Basis for Opinion**

I conducted my audit in accordance with the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Commissioner in accordance with the *Auditor General Act 2006* and the relevant ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the financial statements. I have also fulfilled my other ethical responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

**Responsibility of the Information Commissioner for the Financial Statements**

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

In preparing the financial statements, the Information Commissioner is responsible for assessing the agency's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and 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 Responsibility for the Audit of the Financial Statements**

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

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. 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.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the agency's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Information Commissioner.
- Conclude on the appropriateness of the Information Commissioner's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the agency's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Information Commissioner regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

**Report on 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 Commissioner are those policies and procedures established by the Information Commissioner to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions (the overall control objectives).

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

In my opinion, in all material respects, the controls exercised by the Office of the Information Commissioner are sufficiently adequate to provide reasonable assurance that: the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities have been in accordance with legislative provisions during the year ended 30 June 2018.

**The Information Commissioner's Responsibilities**

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

**Auditor General's Responsibilities**

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

An assurance engagement to report on the design and implementation of controls involves performing procedures to obtain evidence about the suitability of the design of controls to achieve the overall control objectives and the implementation of those controls. The procedures selected depend on my judgement, including the 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 the controls are in operation, the overall control objectives may not be achieved so that fraud, error, or noncompliance 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 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 2018. The key performance indicators are the key effectiveness indicators and the 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 2018.

**The Information Commissioner's Responsibility for the Key Performance Indicators**

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

In preparing the key performance indicators, the Information Commissioner is responsible for identifying key performance indicators that are relevant and appropriate having regard to their purpose in accordance with Treasurer's Instruction 504 *Key Performance Indicators*.

**Auditor General's Responsibility**

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 agency'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 504 for measuring the extent of outcome achievement and the efficiency of service delivery. The procedures selected depend on my judgement, including the assessment of the risks of material misstatement of the key performance indicators. In making these risk assessments I obtain an understanding of internal control relevant to the engagement in order to design procedures that are appropriate in the circumstances.

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

**My Independence and Quality Control Relating to the Reports on Controls and Key Performance Indicators**

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

**Matters Relating to the Electronic Publication of the Audited Financial Statements and Key Performance Indicators**

This 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 2018 included on the Commissioner's website. The Commissioner's management is responsible for the integrity of the Commissioner's website. This audit does not provide assurance on the integrity of the Commissioner's website. The auditor's report refers only to the financial statements and key performance indicators described above. It does not provide an opinion on any other information which may have been hyperlinked to/from these financial statements or key performance indicators. 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 refer to the hard copy of the audited financial statements and key performance indicators to confirm the information contained in this website version of the financial statements and key performance indicators.

  
SANDRA LABUSCHAGNE  
ACTING DEPUTY AUDITOR GENERAL  
Delegate of the Auditor General for Western Australia  
Perth, Western Australia  
31 August 2018

**Disclosure and Legal Compliance**

FINANCIAL STATEMENTS  
Certification of Financial Statements  
For the year ended 30 June 2018

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 financial year ended 30 June 2018 and the financial position as at 30 June 2018.

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  
Acting Information Commissioner  
29 August 2018



Michelle Fitzgerald  
Chief Finance Officer  
29 August 2018





## Statement of Comprehensive Income – 30 June 2018

	Note	2018 \$	2017 \$
<b>COST OF SERVICES</b>			
<b>Expenses</b>			
Employee benefits expense	<a href="#">3.1a</a>	1,574,878	1,694,647
Supplies and services	<a href="#">3.2</a>	370,629	311,456
Depreciation expense	<a href="#">5.1.1</a>	6,247	7,093
Accommodation expenses	<a href="#">3.2</a>	274,492	274,472
Other expenses	<a href="#">3.2</a>	101,189	105,399
<b>Total cost of services</b>		<b>2,327,435</b>	<b>2,393,066</b>
<b>Income</b>			
<i>Revenue</i>			
Other revenue	<a href="#">4.1</a>	24,051	1,392
Commonwealth contributions	<a href="#">4.3</a>	12,510	-
<b>Total Revenue</b>		<b>36,561</b>	<b>1,392</b>
<b>Total income other than income from State Government</b>		<b>36,561</b>	<b>1,392</b>
<b>NET COST OF SERVICES</b>		<b>2,290,874</b>	<b>2,391,675</b>
<b>Income from State Government</b>			
Service appropriation	<a href="#">4.2</a>	2,369,628	2,336,000
Services received free of charge		90,294	101,286
<b>Total income from State Government</b>		<b>2,459,922</b>	<b>2,437,286</b>
<b>SURPLUS FOR THE PERIOD</b>		<b>169,048</b>	<b>45,611</b>
<b>OTHER COMPREHENSIVE INCOME</b>			
<b>Total other comprehensive income</b>		-	-
<b>TOTAL COMPREHENSIVE INCOME FOR THE PERIOD</b>		<b>169,048</b>	<b>45,611</b>

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 2018

	Note	2018 \$	2017 \$
<b>ASSETS</b>			
<b>Current Assets</b>			
Cash and cash equivalents	<u>7</u>	680,973	599,876
Receivables	<u>6.1</u>	17,143	11,153
Other current assets	<u>6.3</u>	44,238	21,162
<b>Total Current Assets</b>		<b>742,354</b>	<b>632,191</b>
<b>Non-Current Assets</b>			
Restricted cash and cash equivalents	<u>7</u>	9,912	4,912
Amounts receivable for services	<u>6.2</u>	36,000	36,000
Property, plant and equipment	<u>5.1</u>	5,294	11,541
<b>Total Non-Current Assets</b>		<b>51,206</b>	<b>52,453</b>
<b>TOTAL ASSETS</b>		<b>793,560</b>	<b>684,645</b>
<b>LIABILITIES</b>			
<b>Current Liabilities</b>			
Payables	<u>6.4</u>	26,248	21,857
Employee related provisions	<u>3.1b</u>	206,711	232,551
<b>Total Current Liabilities</b>		<b>232,959</b>	<b>254,408</b>
<b>Non-Current Liabilities</b>			
Provisions	<u>3.1b</u>	52,209	90,892
<b>Total Non-Current Liabilities</b>		<b>52,209</b>	<b>90,892</b>
<b>TOTAL LIABILITIES</b>		<b>285,168</b>	<b>345,300</b>
<b>NET ASSETS</b>		<b>508,392</b>	<b>339,344</b>
<b>EQUITY</b>			
Contributed equity	<u>9.8</u>	37,000	37,000
Accumulated surplus/(deficiency)		471,392	302,344
<b>TOTAL EQUITY</b>		<b>508,392</b>	<b>339,344</b>

See also the 'Schedule of Assets and Liabilities by Service'. The Statement of Financial Position should be read in conjunction with the accompanying notes.



## Statement of Changes in Equity – 30 June 2018

	Note	Contributed Equity \$	Reserves \$	Accumulated Surplus/ (deficit) \$	Total Equity \$
<b>Balance at 1 July 2016</b>	<u>9.8</u>	37,000	-	256,733	293,733
Changes in accounting policy or correction of prior period errors		-	-	-	-
<b>Restated balance at 1 July 2016</b>		37,000	-	256,733	293,733
Surplus/(Deficit)		-	-	45,611	45,611
Total comprehensive income for the period		-	-	45,611	45,611
Transactions with owners in their capacity as owners:		-	-	-	-
Total		37,000	-	302,344	339,344
<b>Balance at 30 June 2017</b>		37,000	-	302,344	339,344
<b>Balance at 1 July 2017</b>		37,000	-	302,344	339,344
Surplus/(Deficit)		-	-	169,048	169,048
Total comprehensive income for the period		-	-	169,048	169,048
Transactions with owners in their capacity as owners:		-	-	-	-
Total		-	-	-	-
<b>Balance at 30 June 2018</b>		<b>37,000</b>	-	<b>471,392</b>	<b>508,392</b>

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

## Statement of Cash Flows – 30 June 2018

	Note	2018 \$	2017 \$
<b>CASH FLOWS FROM STATE GOVERNMENT</b>			
Service appropriation		2,369,628	2,336,000
<b>Net cash provided by State Government</b>		<b>2,369,628</b>	<b>2,336,000</b>
<b>Utilised as follows:</b>			
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>Payments</b>			
Employee benefits		(1,640,319)	(1,629,397)
Supplies and services		(297,551)	(198,405)
Accommodation		(274,492)	(274,472)
GST payments on purchases		(67,937)	(56,874)
Other payments		(101,189)	(105,327)
<b>Receipts</b>			
Commonwealth grants and contributions		12,510	-
GST receipts on sales		2,349	141
GST receipts from taxation authority		59,240	59,794
Other receipts		23,857	1,392
<b>Net cash provided by/(used in) operating activities</b>	<u>7.1</u>	<b>(2,283,532)</b>	<b>(2,203,148)</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
<b>Payments</b>			
<b>Receipts</b>			
<b>Net cash provided by/(used in) investing activities</b>		<b>-</b>	<b>-</b>
Net increase/(decrease) in cash and cash equivalents		86,097	132,852
Cash and cash equivalents at the beginning of the period		604,788	471,936
<b>CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD</b>	<u>7</u>	<b>690,885</b>	<b>604,788</b>

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

## Summary of consolidated account appropriations and income estimates – 30 June 2018

	2018 Estimate \$	2018 Actual \$	Variance \$	2018 Actual \$	2017 Actual \$	Variance \$
<u>Delivery of Services</u>						
Item 46 Net amount appropriated to deliver services	2,039,000	2,091,628	52,628	2,091,628	2,058,000	33,628
Amount authorised by other statutes						
- <i>Freedom of Information Act 1992</i>	278,000	278,000	-	278,000	278,000	-
<b>Total appropriations provided to deliver services</b>	<b>2,317,000</b>	<b>2,369,628</b>	<b>52,628</b>	<b>2,369,628</b>	<b>2,336,000</b>	<b>33,628</b>
<u>Capital</u>						
Capital appropriations	-	-	-	-	-	-
<b>GRAND TOTAL</b>	<b>2,317,000</b>	<b>2,369,628</b>	<b>52,628</b>	<b>2,369,628</b>	<b>2,336,000</b>	<b>33,628</b>
<u>Details of Expenses by Service</u>						
Resolution of Complaints	1,707,000	1,582,656	(124,344)	1,582,656	1,627,285	(44,629)
Advice and Awareness	732,000	744,779	12,779	744,779	765,781	(21,002)
Total cost of services	<b>2,439,000</b>	<b>2,327,435</b>	<b>(111,565)</b>	<b>2,327,435</b>	<b>2,393,066</b>	<b>(65,631)</b>
Less total income	(4,000)	(36,561)	(32,561)	(36,561)	(1,392)	(35,169)
Net cost of services	<b>2,435,000</b>	<b>2,290,875</b>	<b>(144,125)</b>	<b>2,290,875</b>	<b>2,391,675</b>	<b>(100,799)</b>
Adjustment	(118,000)	78,754	196,754	78,754	(55,675)	134,429
<b>Total appropriations provided to deliver services</b>	<b>2,317,000</b>	<b>2,369,628</b>	<b>52,628</b>	<b>2,369,628</b>	<b>2,336,000</b>	<b>33,628</b>
<u>Capital Expenditure</u>						
Capital appropriations	-	-	-	-	-	-

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

## NOTES TO THE FINANCIAL STATEMENTS

### 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 agency 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 Accountable Authority of the OIC on 29 August 2018.

#### 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**) including applicable interpretations
- 4) Where appropriate, those AAS paragraphs applicable for not-for-profit entities have been applied.

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

#### Basis of preparation

These financial statements are presented in Australian dollars applying the accrual basis of accounting and using the historical cost convention. Certain balances will apply a different measurement basis (such as the fair value basis). Where this is the case the different measurement basis is disclosed in the associated note. All values are rounded to the nearest dollar (\$'000).

#### Judgements and estimates

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

#### Contributed equity

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

The transfers of net assets to/from other agencies, other than as a result of a restructure of administrative arrangements, are designated as contributions by owners where the transfers are non-discretionary and non-reciprocal.

## Note 2. Agency Outputs

### How the OIC operates

This section includes information regarding the nature of funding the OIC receives and how this funding is utilised to achieve the OIC’s objectives. This note also provides the distinction between controlled funding and administered funding:

#### Note

OIC objectives	2.1
Schedule of Income and Expenses by Service	2.2
Schedule of Assets and Liability by Service	2.3

### 2.1 OIC objectives

#### Mission

To provide independent external review of decisions made by agencies under the FOI Act and ensure that agencies and the public are aware of their responsibilities and rights under that Act. When relevant, the Commissioner also recommends legislative or administrative changes that could be made to help the objects of the FOI Act be achieved.

#### Services

The OIC provides the following services:

##### *Service 1: Resolution of Complaints*

Provides an independent review and complaint resolution process, which resolves cases in a timely manner and balances the competing needs and expectations of applicants, agencies and Parliament within the legislative requirements prescribed by the FOI Act.

##### *Service 2: Advice and Awareness*

Provides objective advice 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 OIC administration when dealing with applications received and conducts briefings and training sessions for agency staff.

## 2.2 Schedule of Income and Expenses by Service - 30 June 2018

	Resolution of Complaints		Advice and Awareness		Total	
	2018	2017	2018	2017	2018	2017
	\$	\$	\$	\$	\$	\$
<b>COST OF SERVICES</b>						
<b><u>Expenses</u></b>						
Employee benefits expense	1,070,917	1,152,360	503,961	542,287	1,574,878	1,694,647
Supplies and services	252,028	211,790	118,601	99,666	370,629	311,456
Depreciation expense	4,248	4,823	1,999	2,270	6,247	7,093
Accommodation expense	186,654	186,641	87,837	87,831	274,492	274,472
Other expenses	68,809	71,671	32,381	33,728	101,189	105,399
<b>Total cost of services</b>	<b>1,582,656</b>	<b>1,627,285</b>	<b>744,779</b>	<b>765,781</b>	<b>2,327,435</b>	<b>2,393,066</b>
<b><u>Income</u></b>						
Other revenue	24,051	1,392	-	-	24,051	1,392
Commonwealth contributions	12,510	-	-	-	12,510	-
<b>Total income other than income from State Government</b>	<b>36,561</b>	<b>1,392</b>	<b>-</b>	<b>-</b>	<b>36,561</b>	<b>1,392</b>
<b>NET COST OF SERVICES</b>	<b>1,546,095</b>	<b>1,625,893</b>	<b>744,779</b>	<b>765,781</b>	<b>2,290,875</b>	<b>2,391,675</b>
<b>Income from State Government</b>						
Service appropriation	1,611,347	1,588,480	758,281	747,520	2,369,628	2,336,000
Services received free of charge	61,400	68,874	28,894	32,412	90,294	101,286
<b>Total income from State Government</b>	<b>1,672,747</b>	<b>1,657,354</b>	<b>787,175</b>	<b>779,932</b>	<b>2,459,922</b>	<b>2,437,286</b>
<b>SURPLUS FOR THE PERIOD</b>	<b>126,652</b>	<b>31,461</b>	<b>42,396</b>	<b>14,150</b>	<b>169,048</b>	<b>45,611</b>

The Schedule of Income and Expenses by Service should be read in conjunction with the accompanying notes.



### 2.3 Schedule of Assets and Liabilities by Service - 30 June 2018

	Resolution of Complaints		Advice and Awareness		Total	
	2018	2017	2018	2017	2018	2017
	\$	\$	\$	\$	\$	\$
<b><u>Assets</u></b>						
Current assets	504,801	429,890	237,553	202,301	742,354	632,191
Non-current assets	34,820	35,668	16,386	16,785	51,206	52,453
<b>Total assets</b>	<b>539,621</b>	<b>465,558</b>	<b>253,939</b>	<b>219,086</b>	<b>793,560</b>	<b>684,645</b>
<b><u>Liabilities</u></b>						
Current liabilities	158,412	172,998	74,547	81,411	232,959	254,408
Non-current liabilities	35,502	61,806	16,707	29,085	52,209	90,892
<b>Total liabilities</b>	<b>193,914</b>	<b>234,804</b>	<b>91,254</b>	<b>110,496</b>	<b>285,168</b>	<b>345,300</b>
<b>NET ASSETS</b>	<b>345,707</b>	<b>230,754</b>	<b>162,685</b>	<b>108,590</b>	<b>508,392</b>	<b>339,344</b>

The Schedule of Assets and Liabilities by Service should be read in conjunction with the accompanying notes.

### Note 3. 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	2018 \$	2017 \$
Employee benefits expense	3.1(a)	1,574,878	1,694,647
Employee related provisions	3.1(b)	258,920	323,443
Other expenses	3.2	746,310	698,420

#### Note 3.1(a) Employee benefits expense

	2018 \$	2017 \$
Wages and salaries	1,352,569	1,546,924
Termination benefits	80,558	-
Superannuation - defined contribution plans <sup>(a)</sup>	141,751	147,723
	<b>1,574,878</b>	<b>1,694,647</b>

(a) Defined contribution plans include West State Superannuation Scheme (WSS), Gold State Superannuation Scheme (GSS), Government Employees Superannuation Board Schemes (GESBs) and other eligible funds.

**Wages and salaries:** Employee expenses include all costs related to employment including wages and salaries, fringe benefits tax, leave entitlements and WorkCover.

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

**Superannuation:** The amount recognised in profit or loss of the Statement of Comprehensive Income comprises employer contributions paid to the GSS (concurrent contributions), the WSS, the GESBs, or other superannuation funds. The employer contribution paid to the Government Employees Superannuation Board (GESB) in respect of the GSS is paid back into the Consolidated Account by the GESB.

GSS (concurrent contributions) is a defined benefit scheme for the purposes of employees and whole-of-government reporting. It is however a defined contribution plan for OIC purposes because the concurrent contributions (defined contributions) made by the OIC to GESB extinguishes the OIC's obligations to the related superannuation liability.

The OIC does not recognise any defined benefit liabilities because it has no legal or constructive obligation to pay future benefits relating to its employees. The Liabilities for the unfunded Pension Scheme and the unfunded GSS transfer benefits attributable to members who transferred from the Pension Scheme, are assumed by the Treasurer. All other GSS obligations are funded by concurrent contributions made by the OIC to the GESB.

The GESB and other fund providers administer public sector superannuation arrangements in Western Australia in accordance with legislative requirements. Eligibility criteria for membership in particular schemes for public sector employees vary according to commencement and implementation dates.

### Note 3.1(b) Employee related provisions

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

	2018 \$	2017 \$
<b>Current</b>		
<u>Employee benefits provision</u>		
Annual leave <sup>(a)</sup>	81,741	82,178
Long service leave <sup>(b)</sup>	124,030	149,308
	<b>205,771</b>	<b>231,486</b>
<u>Other provisions</u>		
Employment on-costs <sup>(c)</sup>	940	1,065
	<b>206,711</b>	<b>232,551</b>
<b>Non-current</b>		
<u>Employee benefits provision</u>		
Long service leave <sup>(b)</sup>	51,972	90,478
	<b>51,792</b>	<b>90,478</b>

	2018 \$	2017 \$
<u>Other provisions</u>		
Employment on-costs <sup>(c)</sup>	237	414
	<b>52,209</b>	<b>90,892</b>
<b>Total employee related provisions</b>	<b>258,920</b>	<b>323,443</b>

(a) **Annual leave liabilities:** Classified as current as there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period. Assessments indicate that actual settlement of the liabilities will occur as follows:

	2018 \$	2017 \$
Within 12 months of the end of the reporting period	65,402	75,039
More than 12 months after the end of the reporting period	16,339	7,139
	<b>81,741</b>	<b>82,178</b>

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

(b) **Long service leave liabilities:** Unconditional long service leave provisions are classified as current 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.

Assessments indicate that actual settlement of the liabilities will occur as follows:

	2018 \$	2017 \$
Within 12 months of the end of the reporting period	15,610	47,849
More than 12 months after the reporting period	160,392	191,937
	<b>176,002</b>	<b>239,786</b>

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

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

Employment on-costs, including workers' compensation insurance, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of Note 3.2 'Other expenses' (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'.

	2018 \$	2017 \$
<b>Employment on-cost provision</b>		
Carrying amount at start of year	1,479	1,207
Additional/(reversals of) provisions recognised	(302)	272
Carrying amount at end of period	<b>1,177</b>	<b>1,479</b>

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 3.2 Other expenses**

	<b>2018</b>	<b>2017</b>
	\$	\$
<b>Supplies and services</b>		
Goods and supplies	23,117	32,035
Services and contracts	347,512	279,421
	<b>370,629</b>	<b>311,456</b>
<b>Accommodation expenses</b>		
Lease rentals	274,492	274,472
	<b>274,492</b>	<b>274,472</b>
<b>Other expenditures</b>		
Communication expenses	3,989	4,989
Printing and binding	3,604	-
Electricity	7,407	11,456
Insurance	12,663	12,996
Travel and accommodation	5,489	13,642
Software licenses	11,483	11,905
Professional services	-	120
Professional development	11,378	6,186
Audit fees	35,463	39,238
Employee on-costs	(249)	-
Other	9,962	4,867
	<b>101,189</b>	<b>105,399</b>
<b>Total other expenses</b>	<b>746,310</b>	<b>691,327</b>

**Supplies and services**

Supplies and services 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.

**Accommodation expenses**

Operating lease payments are recognised on a straight line basis over the lease term, except where another systematic basis is more representative of the time pattern of the benefits derived from the use of the leased asset [AASB 117.33]. Repairs, maintenance and cleaning costs are recognised as expenses as incurred.

**Other expenditures**

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

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

**Electricity** costs are recognised as expenses as incurred.

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

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

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

**Professional services** associated with advice and services received by the OIC are recognised as expenses as incurred.

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

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

**Employee on-costs** include 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 3.1(b) 'Employee related provision'. Superannuation contributions accrued as part of the provision for leave are employee benefits and are not included in employment on-costs.

## 4. 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	2018 \$	2017 \$
Other revenue	4.1	24,051	1,392
Income from State Government	4.2	2,459,922	2,437,286
Commonwealth contributions	4.3	12,510	-

### 4.1 Other revenue

	2018 \$	2017 \$
Other revenue	24,051	1,392
	<b>24,051</b>	<b>1,392</b>

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

### 4.2 Income from State Government

<u>Appropriation received during the period</u>		
Service appropriations <sup>(a)</sup>	2,091,628	2,058,000
Service appropriations - other statutes <sup>(b)</sup>	278,000	278,000
	<b>2,369,628</b>	<b>2,336,000</b>

#### Services received free of charge from other State government agencies during the period

Department of Finance – Building Management and Works	<b>90,294</b>	<b>101,286</b>
	<b>2,459,922</b>	<b>2,437,286</b>

(a) **Service appropriations** are recognised as revenues at fair value 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 the 'Amounts receivable for services' (holding account) held at Treasury.

(b) **Service appropriations - other statutes:** Salaries and Allowances Tribunal funding is recognised as revenue at fair value 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.

### 4.3 Commonwealth grants and contributions

	2018 \$	2017 \$
Paid parental leave	12,510	-
	<b>12,510</b>	<b>-</b>

For non-reciprocal grants, the OIC recognises revenue when the grant is receivable at its fair value as and when its fair value can be reliably measured.

## 5. Key assets

### Assets the OIC utilises for economic benefit or service potential

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

	Notes	2018 \$	2017 \$
Property, plant and equipment	5.1	5,294	11,541

## 5.1 Property, plant and equipment

	2018 \$	2017 \$
<u>OIC equipment and computers</u>		
At cost	46,314	46,314
Accumulated depreciation	(41,020)	(34,773)
	<b>5,294</b>	<b>11,541</b>

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

	<b>OIC equipment and computers</b>
<b>2018</b>	
Carrying amount at start of year	11,541
Depreciation	(6,247)
Carrying amount at end of year	<b>5,294</b>
<b>2017</b>	
Carrying amount at start of year	18,634
Depreciation	(7,093)
Carrying amount at end of year	<b>11,541</b>



### 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 or nominal cost, 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

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

#### 5.1.1 Depreciation and impairment

	2018 \$	2017 \$
<b>Charge for the period</b>		
<u>Depreciation</u>		
Plant and equipment	6,247	7,093
	<b>6,247</b>	<b>7,093</b>

As at 30 June 2018 there were no indications of impairment to property, plant and equipment.

All surplus assets at 30 June 2018 have either been classified as assets held for sale or have been written-off.

### Finite useful lives

All plant and equipment having a limited useful life are systematically depreciated over their estimated useful lives in a manner that reflects the consumption of their future economic benefits.

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

<b>Asset</b>	<b>Useful life: years</b>
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.

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

If there is an indication that there has been a reversal in impairment, the carrying amount shall be increased to its recoverable amount. However this reversal should not increase the asset's carrying amount above what would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised in prior years.

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

## 6. 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	2018 \$	2017 \$
Receivables	6.1	17,143	11,153
Amounts receivable for services	6.2	36,000	36,000
Other assets	6.3	44,238	21,162
Payables	6.4	26,248	21,857

### 6.1 Receivables

	2018 \$	2017 \$
<u>Current</u>		
Receivables	-	503
GST receivable	17,143	10,650
	<b>17,143</b>	<b>11,153</b>

The OIC does not hold any collateral or other credit enhancements as security for receivables.

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

The collectability of receivables is reviewed on an ongoing basis and any receivables identified as uncollectible are written-off against the allowance account. The allowance for uncollectible amounts (doubtful debts) is raised when there is objective evidence that the OIC will not be able to collect the debts. There were no debts identified as doubtful as at 30 June 2018.

### 6.2 Amounts receivable for services (holding account)

	2018 \$	2017 \$
Non-current	36,000	36,000
	<b>36,000</b>	<b>36,000</b>

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.

The OIC receives funding on an accrual basis. The appropriations are paid partly in cash and partly as an asset (holding account receivable). The accrued amount receivable is accessible on the emergence of the cash funding requirement to cover asset replacement.

### 6.3 Other assets

<u>Current</u>		
Prepayments	44,238	21,162
	<b>44,238</b>	<b>21,162</b>

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

### 6.4 Payables

	2018 \$	2017 \$
<u>Current</u>		
Trade payables	21,237	15,970
GST payable	-	48
Accrued salaries	4,921	5,840
	<b>26,248</b>	<b>21,857</b>

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

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

The accrued salaries suspense account (see Note 7 'Restricted cash and cash equivalents') consists of amounts paid annually, from OIC appropriations for salaries expense, into a Treasury suspense account to meet the additional cash outflow for employee salary payments in reporting periods with 27 pay days instead of the normal 26. No interest is received on this account.

## 7. Financing

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

	Notes	2018 \$	2017 \$
Cash and cash equivalents		680,973	599,876
Restricted cash and cash equivalents			
- Accrued salaries expense account <sup>(a)</sup>	8.1	9,912	4,912
		<b>690,885</b>	<b>604,788</b>

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

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

## 7.1 Reconciliation of net cost of services to net cash flows provided by/(used in) operating activities

	Notes	2018 \$	2017 \$
Net cost of services		(2,290,874)	(2,391,675)
<u>Non-cash items</u>			
Depreciation expense	5.1	6,247	7,093
Services received free of charge	4.2	90,294	101,286
<u>(Increase)/decrease in assets</u>			
Current receivables <sup>(a)</sup>		503	(252)
Other current assets		(23,076)	18,632
<u>(Increase)/decrease in liabilities</u>			
Current payables <sup>(a)</sup>		5,357	(6,579)
Current accrued salaries		(919)	5,840
Current other provisions		(25,840)	49,953
Non-current other provisions		(38,683)	9,422
Net GST receipts/(payments) <sup>(b)</sup>		(6,541)	3,133
<b>Net cash provided by/(used in) operating activities</b>		<b>(2,283,532)</b>	<b>(2,203,148)</b>

(a) Note that the Australian Taxation OIC receivable/payable in respect of GST and the receivable/payable in respect of the sale/purchase of non-current assets are not included in these items as they do not form part of the reconciling items.

(b) This is the net GST paid/received, ie cash transactions.

## 7.2 Commitments

### Non-cancellable operating lease commitments

Commitments for minimum lease payments are payable as follows:

	2018	2017
	\$	\$
Within 1 year	-	307,203
Later than 1 year and not later than 5 years	-	-
Later than 5 years	-	-
	<u>-</u>	<u>307,203</u>

Operating leases are expensed on a straight line basis over the lease term as this represents the pattern of benefits derived from the leased properties.

The OIC property lease expired on 30 June 2018, with rent, outgoing and car parking rental payable monthly until a new lease is negotiated. The payments for rent and outgoing are on the same terms as the expired lease payable monthly in advance. Given that there is currently no formal lease agreement or specified term there are no formal lease commitments.

### Judgements made by management in applying accounting policies – operating lease commitments

The OIC has yet to enter into a lease agreement for office accommodation. It has been determined that the lessor retains substantially all the risks and rewards incidental to ownership in respect of any temporary lease agreement. Accordingly, this lease will be classified as operating leases.

## 8. Risks and contingencies

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

	Notes
Finance management risk	8.1
Contingent assets and liabilities	8.2

### 8.1 Financial management risk

Financial instruments held by the OIC are cash and cash equivalents, restricted cash and cash equivalents, receivables and payables. The OIC has limited exposure to financial risks. The OIC's overall risk management program focuses on managing the risks identified below.

#### (a) Summary of risks and risk management

##### *Credit risk*

Credit risk arises when there is the possibility of the OIC's receivables defaulting on their contractual obligations resulting in financial loss to the OIC.

The maximum exposure to credit risk at the end of the reporting period in relation to each class of recognised financial asset is the gross carrying amount of those assets inclusive of any allowance for impairment as shown in the table at Note 8.1(c) 'Ageing analysis of financial assets' and Note 6.1 'Receivables'.

Credit risk associated with the OIC's financial assets is minimal because the main receivable is the amounts receivable for services (holding account). For receivables other than Government, the OIC trades only with recognised, creditworthy third parties. Receivable balances are monitored on an ongoing basis with the result that the

OIC's exposure to bad debts is minimal. At the end of the reporting period there were no significant concentrations of credit risk.

#### *Liquidity risk*

Liquidity risk arises when the OIC is unable to meet its financial obligations as they fall due.

The OIC is exposed to liquidity risk through its trading in the normal course of business.

The OIC has appropriate procedures to manage cash flows including drawdown of appropriations by monitoring forecast cash flows to ensure that sufficient funds are available to meet its commitments.

#### *Market risk*

Market risk is the risk that changes in market prices such as foreign exchange rates and interest rates will affect the OIC's income or the value of its holdings of financial instruments. The OIC does not trade in foreign currency and is not materially exposed to other price risks (for example, equity securities or commodity price changes). The OIC's exposure to market risk for changes in interest rates relate primarily to the long-term debt obligations.

Other than as detailed in the interest rate sensitivity analysis table at Note 8.1(d), the OIC is not exposed to interest rate risk because the majority of cash and cash equivalents and restricted cash are non-interest bearing and it has no borrowings.

#### (b) Categories of financial instruments

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

	2018 \$	2017 \$
<u>Financial assets</u>		
Cash and cash equivalents	680,973	599,876
Restricted cash and cash equivalents	9,912	4,912
Receivables <sup>(a)</sup>	36,000	36,503
	<u>726,885</u>	<u>641,292</u>
<u>Financial liabilities</u>		
Financial liabilities measured at amortised costs	26,248	21,857
	<u>26,248</u>	<u>21,857</u>

(a) The amount of receivables excludes GST recoverable from the ATO (statutory receivable).

(c) Ageing analysis of financial assets

	Carrying amount \$	Not past due and not impaired \$	<u>Past due but not impaired</u>					Impaired financial assets \$
			Up to 1 month \$	1-3 months \$	3 months to 1 year \$	1-5 years \$	More than 5 years \$	
<b>2018</b>								
Cash and cash equivalents	680,973	680,973	-	-	-	-	-	-
Restricted cash and cash equivalents	9,912	9,912	-	-	-	-	-	-
Amounts receivable for services	36,000	36,000	-	-	-	-	-	-
	<b>726,885</b>	<b>726,885</b>	-	-	-	-	-	-
<b>2017</b>								
Cash and cash equivalents	599,876	599,876	-	-	-	-	-	-
Restricted cash and cash equivalents	4,912	4,912	-	-	-	-	-	-
Receivables <sup>(a)</sup>	503	503	-	-	-	-	-	-
Amounts receivable for services	36,000	36,000	-	-	-	-	-	-
	<b>641,292</b>	<b>641,292</b>	-	-	-	-	-	-

(a) The amount of receivables excludes the GST recoverable from the ATO (statutory receivable).



(d) Liquidity risk and interest rate exposure

The following table details the OIC's interest rate exposure and the contractual maturity analysis of financial assets and financial liabilities. The maturity analysis section includes interest and principal cash flows. The interest rate exposure analyses only the carrying amounts of each item.

Interest rate exposure and maturity analysis of financial assets and liabilities											
	Interest Rate Exposure					Maturity dates					
	Weighted average effective interest rate %	Carrying amount \$	Fixed interest rate \$	Variable interest rate \$	Non interest bearing \$	Nominal amount \$	Up to 1 month \$	1-3 months \$	3 months to 1 year \$	1-5 years \$	More than 5 years \$
<b>2018</b>											
<u>Financial Assets</u>											
Cash and cash equivalents	-	680,973	-	-	680,973	680,973	680,973	-	-	-	-
Restricted cash and cash equivalents	-	9,912	-	-	9,912	9,912	-	-	-	-	9,912
Amounts receivable for services	-	36,000	-	-	36,000	36,000	-	-	-	-	36,000
		<b>726,885</b>	-	-	<b>726,885</b>	<b>726,885</b>	<b>680,973</b>	-	-	-	<b>45,912</b>
<u>Financial Liabilities</u>											
Payables	-	26,248	-	-	26,248	26,248	26,248	-	-	-	-
		<b>26,248</b>	-	-	<b>26,248</b>	<b>26,248</b>	<b>26,248</b>	-	-	-	-
<b>2017</b>											
<u>Financial Assets</u>											
Cash and cash equivalents	-	599,876	-	-	599,876	599,876	599,876	-	-	-	-
Restricted cash and cash equivalents	-	4,912	-	-	4,912	4,912	-	-	-	-	4,912
Receivables <sup>(a)</sup>	-	503	-	-	503	503	503	-	-	-	-
Amounts receivable for services	-	36,000	-	-	36,000	36,000	-	-	-	-	36,000
		<b>641,292</b>	-	-	<b>641,292</b>	<b>641,292</b>	<b>600,380</b>	-	-	-	<b>40,912</b>
<u>Financial Liabilities</u>											
Payables	-	21,857	-	-	21,857	21,857	21,857	-	-	-	-
		<b>21,857</b>	-	-	<b>21,857</b>	<b>21,857</b>	<b>21,857</b>	-	-	-	-

(a) The amount of receivables excludes the GST recoverable from the ATO (statutory receivable).

## 8.2 Contingent assets and liabilities

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

The OIC had no contingent liabilities and contingent assets for the year ending 30 June 2018.

## 9. 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	9.1		Operative for reporting periods beginning on/after
Future impact of Australian standards issued not yet operative	9.2		
Key management personnel	9.3		
Related party transactions	9.4		
Related bodies	9.5	AASB 9	1 Jan 2018
Affiliated bodies	9.6	<i>Financial Instruments</i>	
Remuneration of auditors	9.7	This Standard supersedes AASB 139 <i>Financial Instruments: Recognition and Measurement</i> , introducing a number of changes to accounting treatments.	
Equity	9.8		
Supplementary financial information	9.9		
Explanatory statement	9.10	The OIC has assessed that no expected credit losses will impact the amount of impairment losses recognised as 'Other expenses' in the Statement of Comprehensive Income and thus have no	

## 9.1 Events occurring after the end of the reporting period

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

## 9.2 Future impact of Australian Accounting Standards not yet operative

The OIC cannot early adopt an Australian Accounting Standard unless specifically permitted by TI 1101 'Application of Australian Accounting Standards and Other Pronouncements' or by an exemption from TI 1101. Where applicable, the OIC plans to apply the following Australian Accounting Standards from their application date.

impact on the OIC's Surplus/(Deficit) for the period.

AASB 15 *Revenue from Contracts with Customers* 1 Jan 2019

This Standard establishes the principles that the OIC shall apply to report useful information to users of financial statements about the nature, amount, timing and uncertainty of revenue and cash flows arising from a contract with a customer. The mandatory application date of this Standard is currently 1 January 2019 after being amended by AASB 2016-7.

The OIC's income is principally derived from appropriations which will be measured under AASB 1058 and will be unaffected by this change. However, the OIC has not yet determined the potential impact of the Standard on 'User charges and fees' and 'Sales' revenue. In broad terms, it is anticipated that the terms and conditions attached to these revenues will defer revenue recognition until the OIC has discharged its performance obligations.

AASB 16 *Leases* 1 Jan 2019

The Standard introduces a single lessee accounting model and requires a lessee to recognise assets and liabilities for all

leases with a term of more than 12 months, unless the underlying asset is of low value.

The impact of AASB 16 has not yet been quantified.

AASB 1058 *Income for Not-For-Profit Entities* 1 Jan 2019

This Standard clarifies and simplifies the income recognition requirements that apply to not-for-profit (**NFP**) entities, more closely reflecting the economic reality of NFP entity transactions that are not contracts with customers. Timing of income recognition is dependent on whether such a transaction gives rise to a liability or other performance obligation (a promise to transfer a good or service), or a contribution by owners, related to an asset (such as cash or another asset) received by the OIC. The OIC anticipates that the application will not materially impact appropriations.

AASB 1059 *Service Concession Arrangements: Grantors* 1 Jan 2019

This Standard addresses the accounting for a service concession arrangement (a type of public private partnership) by a grantor that is a public sector entity by prescribing the accounting for the arrangement from the grantor's perspective. Timing and measurement for the recognition of a specific asset class

OVERVIEW	AGENCY PERFORMANCE	SIGNIFICANT ISSUES AND TRENDS	DISCLOSURES AND LEGAL COMPLIANCE	KEY PERFORMANCE INDICATORS	FINANCIAL STATEMENTS	OIC STATISTICS	AGENCY STATISTICS
			occurs on commencement of the arrangement and the accounting for associated liabilities is determined by whether the grantee is paid by the grantor or users of the public service provided. The OIC has not identified any public private partnerships within scope of the Standard.				
						amendments to other Standards. These changes have no impact as Appendix E has been superseded and the OIC was not permitted to early adopt AASB 9.	
AASB 2010-7	<i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2010) [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 120, 121, 127, 128, 131, 132, 136, 137, 139, 1023 &amp; 1038 and Int 2, 5, 10, 12, 19 &amp; 127]</i>	1 Jan 2018	This Standard makes consequential amendments to other Australian Accounting Standards and Interpretations as a result of issuing AASB 9 in December 2010.		AASB 2014-5	<i>Amendments to Australian Accounting Standards arising from AASB 15</i>	1 Jan 2018
			The mandatory application date of this Standard has been amended by AASB 2012-6 and AASB 2014-1 to 1 January 2018. Other than the exposures to AASB 9 noted above, the OIC is only insignificantly impacted by the application of the Standard.			This Standard gives effect to the consequential amendments to Australian Accounting Standards (including Interpretations) arising from the issuance of AASB 15. The mandatory application date of this Standard has been amended by AASB 2015-8 to 1 January 2018. The Office has not yet determined the application or the potential impact of the Standard.	
AASB 2014-1	<i>Amendments to Australian Accounting Standards</i>	1 Jan 2018	Part E of this Standard makes amendments to AASB 9 and consequential		AASB 2014-7	<i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2014)</i>	1 Jan 2018
						This Standard gives effect to the consequential amendments to Australian Accounting Standards (including Interpretations) arising from the issuance of AASB 9 (December 2014). The OIC has not yet determined the application or the potential impact of the Standard.	

AASB 2015-8 *Amendments to Australian Accounting Standards – Effective Date of AASB 15* 1 Jan 2018

This Standard amends the mandatory application date of AASB 15 to 1 January 2018 (instead of 1 January 2017). It also defers the consequential amendments that were originally set out in AASB 2014-5. There is no financial impact arising from this Standard.

AASB 2016-3 *Amendments to Australian Accounting Standards – Clarifications to AASB 15* 1 Jan 2018

This Standard clarifies identifying performance obligations, principal versus agent considerations, timing of recognising revenue from granting a licence and provides further transitional provisions to AASB 15. The OIC has not yet determined the application or the potential impact when the deferred AASB 15 becomes effective from 1 January 2019.

AASB 2016-7 *Amendments to Australian Accounting Standards – Deferral of AASB 15 for Not-For-Profit Entities* 1 Jan 2018

This Standard defers, for not-for-profit entities, the mandatory application date of AASB 15 to 1 January 2019, and the consequential amendments that were

originally set out in AASB 2014-5. There is no financial impact arising from this standard.

AASB 2016-8 *Amendments to Australian Accounting Standards – Australian Implementation Guidance for Not-For-Profit Entities* 1 Jan 2019

This Standard inserts Australian requirements and authoritative implementation guidance for not-for-profit entities into AASB 9 and AASB 15. This guidance assists not-for-profit entities in applying those Standards to particular transactions and other events. There is no financial impact.

### 9.3 Key management personnel

The OIC has determined key management personnel to include senior officers of the OIC.

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 (\$)	2018	2017
\$80,001 - \$90,000	1	-
\$110,001 - \$120,000	1	-
\$140,001 - \$150,000	1	-
\$300,001 - \$310,000	-	1
	<b>3</b>	<b>1</b>

	2018 \$	2017 \$
Short-term employment benefits	296,392	261,210
Post-employment benefits	25,453	24,227
Other long-term benefits	10,358	21,626
	<b>332,203</b>	<b>307,063</b>

Total compensation includes the superannuation expense incurred by the OIC in respect of senior officers. During the year the substantive Information Commissioner resigned and there were two successive Acting Information Commissioners.

#### 9.4 Related party transactions

The OIC is a wholly owned and controlled entity of the State of Western Australia.

Related parties of the OIC include:

- all senior officers and their close family members, and their controlled or jointly controlled entities;
- other departments and public sector entities, including related bodies included in the whole of government consolidated financial statements; and
- GESB.

#### Significant transactions with government related entities

In conducting its activities, the OIC is required to transact with State and entities related to the State. These transactions are generally based on the standard terms and conditions that apply to all agencies. Such transactions include:

- income from the State Government (Note 4.2);
- services received free of charge from the Department of Finance – Building Management and Works (Note 4.2);
- superannuation payments to GESB (Note 3.1(a)); and
- lease rental payments to the Department of Finance (Note 7.2).

#### 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.

#### 9.5 Related bodies

The OIC has no related bodies.

#### 9.6 Affiliated bodies

The OIC has no affiliated bodies.

#### 9.7 Remuneration of Auditor

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

	2018 \$	2017 \$
Auditing of accounts, financial statements and performance indicators	26,970	26,700
	<b>26,970</b>	<b>26,700</b>

## 9.8 Equity

	2018 \$	2017 \$
<u>Contributed equity</u>		
Balance at start of the period	37,000	37,000
	<b>37,000</b>	<b>37,000</b>
<u>Accumulated surplus/(deficit)</u>		
Balance at start of the period	302,344	256,733
Result for the period	169,048	45,611
	<b>471,392</b>	<b>302,344</b>
<b>Total equity</b>	<b>508,392</b>	<b>339,344</b>

## 9.9 Supplementary financial information

### Write-offs

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

### Losses through theft, defaults and other causes

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

### Gifts of public property

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

## 9.10 Explanatory statement

The OIC does not meet the threshold of TI 945(1)(ii) requiring explanatory statements.



## 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 financial year. 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 data as follows:

- the number of complaints made to the Commissioner and the results of those complaints;
- 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 complaints and applications made to the OIC during the year, and their outcomes. Details of Supreme Court appeals are outlined under Significant Issues and Trends.

For reference, a 'complaint' is a request for external review on a decision made by an agency under the FOI Act. An 'application' refers to other types of requests made to the Commissioner, including: a request to lodge an application for external review 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 in respect of the OIC's operations are also included in this section.

### Index to tables

1	<a href="#">Applications received and dealt with</a>
2	<a href="#">Breakdown of valid complaints</a>
3	<a href="#">Complaints received</a>
4	<a href="#">Other applications received</a>
5	<a href="#">Outcome of complaints</a>
6	<a href="#">Published decisions</a>
7	<a href="#">Outcomes – other applications</a>
8	<a href="#">Formal training / presentations</a>
9	<a href="#">Attendees at presentations</a>
10	<a href="#">Misdirected applications</a>
11	<a href="#">OIC publications</a>
12	<a href="#">Injury management targets</a>

**Table 1: Applications received and dealt with by the Information Commissioner**

APPLICATIONS FOR EXTERNAL REVIEW	No. RECEIVED	No. DEALT WITH
Complaints - valid	165	143
Complaints - informal / invalid	40	40
Section 66(6) - applications - no internal review	8	8
Section 66(4) - applications - out of time	3	3
Section 13(5) - applications for extension of time	2	2
<b>TOTAL</b>	<b>218</b>	<b>196</b>

**Table 2: Breakdown of valid complaints made to the Information Commissioner**

APPLICANT GROUP	No.
Individual Citizen	93
Member of Parliament	35
Company	10
Media	9
Not for Profit	9
Prisoner	7
Government Agency	2
<b>TOTAL</b>	<b>165</b>

AGENCY GROUP	No.
Department (ex. Police & Health)	60
Local Government	41
Minister	21
Police	14
Board, Committee, Commission, Authority, Corporation	12
Health-related	12
University	5
<b>TOTAL</b>	<b>165</b>

**Table 3: Complaints received by the Information Commissioner**

AGENCY	COMPLAINTS	INVALID	TOTAL
<b>State Agencies:</b>			
Biodiversity, Conservation and Attractions, Department of	1	0	1
Bunbury Water Board (Aqwest)	1	0	1
C&AHS - Princess Margaret Hospital for Children	3	1	4
Chemistry Centre Western Australia	1	0	1
Communities, Department of	3	2	5
Curtin University of Technology	2	0	2
Edith Cowan University	2	1	3
Education, Department of	4	1	5
EMHS - Armadale Kalamunda Group	1	1	2
EMHS - Royal Perth Hospital	0	1	1
Forest Products Commission	1	0	1
Health, Department of	3	0	3
Jobs, Tourism, Science and Innovation, Department of	2	0	2
Justice, Department of	7	2	9
Legal Practice Board of WA, The	2	0	2
Legal Profession Complaints Committee	1	0	1
Local Government, Sport and Cultural Industries, Department of	2	1	3
Main Roads Western Australia	3	1	4
Mines, Industry Regulation and Safety, Department of	5	0	5
NMHS - Mental Health	1	0	1
NMHS - Sir Charles Gairdner Hospital	1	1	2
North Metropolitan TAFE	0	1	1
Department of Planning, Lands and Heritage	4	0	4
Police, Western Australia	14	6	20
Premier and Cabinet, Department of the	11	0	11
Primary Industries and Regional Development, Department of	2	0	2
Public Advocate, Office of the	2	0	2
Public Transport Authority	3	0	3
SMHS - Fremantle Hospital and Health Service	0	1	1
SMHS - Rockingham Peel Group	0	1	1
Transport, Department of	8	0	8
Treasury, Department of	2	1	3
University of Western Australia, The	1	0	1
WACHS - Central Office	1	0	1
WACHS - Midwest	2	0	2
WACHS - South West	0	1	1
Water and Environmental Regulation, Department of	5	0	5
Water Corporation	1	0	1
Western Power	0	1	1
<i>Sub-total: State Agencies</i>	<b>102</b>	<b>24</b>	<b>126</b>
<b>Local Agencies:</b>			
Armadale, City of	1	0	1

AGENCY	COMPLAINTS	INVALID	TOTAL
Augusta-Margaret River, Shire of	1	0	1
Bayswater, City of	0	1	1
Busselton, Shire of	1	0	1
Canning, City of	5	3	8
Cockburn, City of	1	0	1
Cottesloe, Town of	2	1	3
Cue, Shire of	0	1	1
Dardanup, Shire of	1	1	2
Harvey, Shire of	1	0	1
Joondalup, City of	2	1	3
Kalamunda, City of	1	0	1
Melville, City of	9	3	12
Mosman Park, Town of	2	0	2
Perth, City of	4	0	4
Serpentine/Jarrahdale, Shire of	1	0	1
South Perth, City of	2	0	2
Stirling, City of	1	1	2
Toodyay, Shire of	1	1	2
Victoria Park, Town of	3	1	4

AGENCY	COMPLAINTS	INVALID	TOTAL
Wanneroo, City of	1	0	1
York, Shire of	1	0	1
<i>Sub-total: Local Agencies</i>	<b>41</b>	<b>14</b>	<b>55</b>
<b>Ministers:</b>			
Attorney General	1	0	1
Minister for Education and Training	2	0	2
Minister for Emergency Services	2	0	2
Minister for Energy	3	0	3
Minister for Health	1	0	1
Minister for Lands	1	0	1
Minister for Local Government	1	0	1
Minister for Regional Development	4	0	4
Minister for Sport and Recreation	1	0	1
Minister for Tourism	1	0	1
Minister for Transport	4	0	4
Treasurer	1	0	1
<i>Sub-total: Ministers</i>	<b>22</b>	<b>0</b>	<b>0</b>
<b>Agency is Unknown:</b>	0	2	2
<i>Sub-total: Agency is Unknown</i>	<b>0</b>	<b>2</b>	<b>2</b>
<b>TOTAL</b>	<b>165</b>	<b>40</b>	<b>205</b>

**Table 4: Other applications received**

AGENCY	OUT OF TIME s.66(4)	NO INTERNAL REVIEW s.66(6)	EXTENSION OF TIME s.13(5)	TOTAL
Albany, City of	1	0	0	1
Forest Products Commission	1	0	0	1
Joondalup, City of	1	0	0	1
Kalamunda, City of	0	1	0	1
Melville, City of	0	1	1	2
Mines, Industry Regulation and Safety, Department of	0	1	0	1
Narrogin, Shire of	0	0	1	1
Perth, City of	0	1	0	1
Police, Western Australia	0	1	0	1
Premier and Cabinet, Department of the	0	1	0	1
Public Advocate, Office of the	0	1	0	1
Western Power Corporation	0	1	0	1
<b>TOTAL</b>	<b>3</b>	<b>8</b>	<b>2</b>	<b>13</b>

**Table 5: Outcome of complaints finalised (by agency and category)**

AGENCY	CONCILIATED	PUBLISHED DECISION BY INFORMATION COMMISSIONER			DECLINED UNDER s.67(1)(a) or s.67(1)(b)	TOTAL MATTERS FINALISED
		AGENCY DECISION CONFIRMED	AGENCY DECISION VARIED	AGENCY DECISION SET ASIDE AND SUBSTITUTED		
<b>State Agencies:</b>						
Agriculture and Food, Department of	2					2
Attorney General, Department of the					2	2
Biodiversity, Conservation and Attractions, Department of					1	1
Bunbury Water Board (Aqwest)	1					1
C&AHS - Princess Margaret Hospital for Children	2				1	3
Chemistry Centre Western Australia	1					1
Child Protection and Family Support, Department for	1					1
Communities, Department of	1	1			3	5
Culture and the Arts, Department of					1	1
Curtin University of Technology	1			1		2
Edith Cowan University	2				2	4
Education, Department of	4	1			1	6
EMHS - Armadale Kalamunda Group	1				1	2
EMHS - Bentley Health Service					1	1
EMHS - Royal Perth Hospital					1	1
Environment Regulation, Department of	1		2			3
Health, Department of	1	1				2
Housing Authority	1					1
Jobs, Tourism, Science and Innovation, Department of	1					1
Justice, Department of	4				2	6



AGENCY	CONCILIATED	PUBLISHED DECISION BY INFORMATION COMMISSIONER			DECLINED UNDER s.67(1)(a) or s.67(1)(b)	TOTAL MATTERS FINALISED
		AGENCY DECISION CONFIRMED	AGENCY DECISION VARIED	AGENCY DECISION SET ASIDE AND SUBSTITUTED		
Legal Practice Board of WA, The		1				1
Legal Profession Complaints Committee		1				1
Local Government, Sport and Cultural Industries, Department of	1				1	2
Main Roads Western Australia	3				1	4
Mines and Petroleum, Department of	3					3
Mines, Industry Regulation and Safety, Department of	3					3
NMHS - Mental Health	1					1
NMHS - Sir Charles Gairdner Hospital					1	1
North Metropolitan TAFE					1	1
Planning, Lands and Heritage, Department of	1				1	2
Premier and Cabinet, Department of the	5				1	6
Primary Industries and Regional Development, Department of	1				1	2
Public Advocate, Office of the	1					1
Public Transport Authority	6	1		2		9
SMHS - Fremantle Hospital and Health Service					1	1
SMHS - Rockingham Peel Group					1	1
Southern Ports Authority	1					1
Sport and Recreation, Department of	1				1	2
State Administrative Tribunal	1					1
State Solicitor's Office	1				1	2
Transport, Department of	5				1	6
Treasury, Department of					1	1
University of Western Australia, The	1					1

AGENCY	CONCILIATED	PUBLISHED DECISION BY INFORMATION COMMISSIONER			DECLINED UNDER s.67(1)(a) or s.67(1)(b)	TOTAL MATTERS FINALISED
		AGENCY DECISION CONFIRMED	AGENCY DECISION VARIED	AGENCY DECISION SET ASIDE AND SUBSTITUTED		
WACHS - Central Office	1					1
WACHS - Midwest	2					2
WACHS - South West					1	1
Water and Environmental Regulation, Department of	2				1	3
Water Corporation	2					2
Western Australia Police	12	1			6	19
Western Australian Land Authority (LandCorp)	2					2
Western Power					1	1
<i>Sub-Total: State Agencies</i>	<b>80 (61.5%)</b>	<b>7 (5.4%)</b>	<b>2 (1.5%)</b>	<b>3 (2.3%)</b>	<b>38 (29.2%)</b>	<b>130 (71.0%)</b>
<b>Local Agencies:</b>						
Augusta-Margaret River, Shire of	2					2
Bayswater, City of					1	1
Canning, City of	5				3	8
Cottesloe, Town of	1				1	2
Cue, Shire of					1	1
Dardanup, Shire of	1				1	2
Gosnells, City of	1					1
Harvey, Shire of	1					1
Joondalup, City of	2				1	3
Kalamunda, City of	1					1
Melville, City of	2				3	5

AGENCY	CONCILIATED	PUBLISHED DECISION BY INFORMATION COMMISSIONER			DECLINED UNDER s.67(1)(a) or s.67(1)(b)	TOTAL MATTERS FINALISED
		AGENCY DECISION CONFIRMED	AGENCY DECISION VARIED	AGENCY DECISION SET ASIDE AND SUBSTITUTED		
Mosman Park, Town of	1				1	2
Perth, City of	2				1	3
Rockingham, City of	1					1
Serpentine/Jarrahdale, Shire of	1				1	2
South Perth, City of					1	1
Stirling, City of					2	2
Toodyay, Shire of	1				1	2
Victoria Park, Town of	1				1	2
<i>Sub-Total: Local Agencies</i>	<b>23 (54.8%)</b>	<b>0 (0.0%)</b>	<b>0 (0.0%)</b>	<b>0 (00.0%)</b>	<b>19 (45.2%)</b>	<b>42 (22.9%)</b>
<b>Ministers:</b>						
Attorney General	1					1
Minister for Emergency Services	2					2
Minister for Energy	1					1
Minister for Environment				1		1
Minister for Health	1					1
Minister for Regional Development	2					2
Treasurer	1					1
<i>Sub-Total: Ministers</i>	<b>8 (88.9%)</b>	<b>0 (0.0%)</b>	<b>0 (0.0%)</b>	<b>1 (11.1%)</b>	<b>00 (00.0%)</b>	<b>9 (4.9%)</b>
Agency is unknown	0	0	0	0	2	2
<i>Sub-Total: Agency is unknown</i>	<b>0 (00.0%)</b>	<b>0 (0.0%)</b>	<b>0 (0.0%)</b>	<b>0 (00.0%)</b>	<b>2 (100.0%)</b>	<b>2 (1.1%)</b>
<b>TOTAL</b>	<b>111 (60.6%)</b>	<b>7 (3.8%)</b>	<b>2 (1.1%)</b>	<b>4 (2.2%)</b>	<b>59 (32.2%)</b>	<b>183 (100%)</b>

**Note:** The Information Commissioner may not deal with – or stop dealing with – a complaint if it is outside her jurisdiction or if it is frivolous, vexatious, misconceived or lacking in substance. Table 5 includes informal/invalid complaints. Nineteen of the complaints declined related to formal complaints and the remaining 40 declined related to informal/invalid complaints.

**Table 6: Published decisions**

Decision No.	Complainant	Agency	Decision Date
D0182017	Seven Network (Operations) Limited	Public Transport Authority	30/08/2017
D0192017	'U'	Western Australia Police	20/09/2017
D0202017	Appleton	Department of Education	30/11/2017
D0212017	Farina	Minister for Environment	30/11/2017
D0222017	Seven Network (Operations) Limited	Public Transport Authority	20/12/2017
D0232017	Donovan	Curtin University of Technology	29/12/2017
D0242017	Cockburn Cement Limited	Department of Water and Environmental Regulation	29/12/2017
D0012018	Seven Network (Operations) Limited	Public Transport Authority	02/02/2018
D0022018	'S'	Department for Child Protection and Family Support	19/06/2018
D0032018	Wells	Legal Profession Complaints Committee	22/06/2018
D0042018	Hobday	State Solicitor's Office	28/06/2018
D0052018	Wells	Legal Practice Board of Western Australia	29/06/2018
D0062018	Goiran	Department of Health	29/06/2018

**Table 7: Outcome of other applications finalised**

AGENCY	OUT OF TIME s.66(4)	OUT OF TIME s.66(4)	NO INTERNAL REVIEW s.66(6)	EXTENSION OF TIME s.13(5)	EXTENSION OF TIME s.13(5)	TOTAL MATTERS FINALISED
	Allowed	Refused	Refused	Conciliated	Refused	
<b>State Agencies:</b>						
Forest Products Commission	1					1
Western Australia Police			1			1
Premier and Cabinet, Department of the			1			1
Mines, Industry Regulation and Safety, Department of			1			1
Public Advocate, Office of the			1			1
Western Power Corporation			1			1
<i>Sub-total: State Agencies</i>	<b>1</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>6</b>
<b>Local Agencies:</b>						
Albany, City of		1				1
Joondalup, City of		1				1
Kalamunda, City of		1				1
Melville, City of			1	1		2
Narrogin, Shire of					1	1
Perth, City of			1			1
<i>Sub-total: Local Agencies</i>	<b>0</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>7</b>
<b>TOTAL</b>	<b>1</b>	<b>3</b>	<b>7</b>	<b>1</b>	<b>1</b>	<b>13</b>

**Table 8: Formal training and presentations**

DATE	PRESENTATION STYLE	TYPE*
05/07/2017	Presentation to Connolly Senior Citizens Group with the Ombudsman WA and Public Sector Commissioner	CB
11/07/2017	Presentation to Records and Information Management Professionals Australia (RIMPA)	S
12/07/2017	FOI Decision Writing Workshop for State	D
17/07/2017	Briefing for the Health Consumer Council staff and volunteers	CB
10/08/2017	FOI in WA Conference	CONF
11/08/2017	FOI Coordinators Workshop	C
11/10/2017	FOI Coordinators Workshop	C
12/10/2017	UWA Guest Lecture	S
24/10/2017	Presentation to Nollamara Ladies Group with Public Sector Commission and the Ombudsman	CB
26/10/2017	Law Society presentation on Freedom of Information	S
30/10/2017	Briefing to Edith Cowan University	AB
01/11/2017	Presentation to Armadale Positive Ageing group	CB
8/11/2017	FOI Coordinators Workshop	C
16/11/2017	Presentation to Armadale Family Community Centre with Public Sector Commission and the Ombudsman	CB
29/11/2017	FOI Decision Writing Workshop	D
24/01/2018	Presentation at ANZACATT (Australia and New Zealand Association of Clerks at the Table) Conference	S
06/02/2018	Presentation to UWA - Government Accountability - Law and Practice Unit	S
08/02/2018	FOI Coordinators Workshop	C
01/03/2018	FOI Decision Writing Workshop	D
12/03/2018	Briefing for Department of Biodiversity, Conservation and Attractions	AB
15/03/2018	Briefing for Landgate Officers	AB
20/03/2018	Briefing for Department of Local Government, Sports and Cultural Industries	AB
23/03/2018	Briefing for Department of Education	AB

DATE	PRESENTATION STYLE	TYPE*
06/04/2018	Presentation to ECU Administrative Law Students	S
11/05/2018	Briefing for Department of Water and Environmental Regulation	AB
15/05/2018	Briefing - Local Government FOI Networking Group	AB
16/05/2018	FOI Coordinators Workshop	C
01/06/2018	Briefing for Department of Justice	AB

\*AB = Briefing; CB =Community Briefing C = FOI Co-ordinators Training Course; CONF = CONFERENCE;  
D = Decision-makers Training Course; S = Speaking Engagement

**Table 9: Attendees at presentations**

TRAINING SESSIONS (No.)	STATE GOVERNMENT	LOCAL GOVERNMENT	COMMUNITY	TOTAL
FOI Coordinators Workshops (5)	68	32	0	<b>100</b>
Decision Writing Workshops (3)	29	4	0	<b>33</b>
<i>Sub-total:</i>	<b>97</b>	<b>36</b>	<b>0</b>	<b>133</b>
BRIEFINGS (No.)				TOTAL
Agency Briefings (8)	100	16	0	<b>116</b>
Community Briefings (5)	0	0	90	<b>90</b>
OIC Conference (1)	196	73		<b>269</b>
Other Speaking Engagements (6)	15	0	355	<b>370</b>
<i>Sub-total:</i>	<b>311</b>	<b>89</b>	<b>445</b>	<b>845</b>
<b>GRAND TOTAL (ATTENDEES)</b>	<b>408</b>	<b>125</b>	<b>445</b>	<b>978</b>



**Table 10: Misdirected applications (received & dealt with)**

Year	Department of Justice *	Western Australia Police	Other	Total
2008/2009	15	33	25	73
2009/2010	15	20	30	65
2010/2011	13	13	31	57
2011/2012	6	11	12	29
2012/2013	4	12	13	29
2013/2014	8	4	12	24
2014/2015	5	5	18	28
2015/2016	2	5	19	26
2016/2017	7	4	15	26
2017/2018	8	20	36	64

\* Formerly Department of Corrective Services, now also includes Acacia Prison

**Table 11: OIC publications**

Information Sheets for Members of the Public	Information Sheets for Agency officers
Amendment of personal information	Amendment of personal information
Can I get everything I want under FOI?	Calculating charges
Can others access information about me or my business?	Consulting third parties
Can the agency refuse to deal with my application?	Flowchart - Dealing with an FOI application
Children and people with intellectual difficulties	Key FOI principles for agencies
How long should it take to deal with an access application?	Key questions for decision-makers to consider
How much does it cost?	How long should it take to deal with an access application?
Is FOI my best option?	Information Statements and other required publications
Requirements for a valid access application	Large, complex or time-consuming applications
Review of agency decisions	Making submissions to the Information Commissioner
Role of the Information Commissioner	Releasing documents that may be technically exempt
Steps for access applicants	Repeated requests and unreasonable conduct
The public interest	The exemptions
What documents can I ask for?	Thinking outside the FOI box
What happens in an external review?	Training for agencies
What if the agency says it doesn't have the documents?	What if the documents cannot be found?
What is personal information?	What if there are many third parties to consult?
Who do I contact to ask for documents?	What is personal information?
	What happens in an external review?
	Writing a notice of decision

Information about the External Review Process	Information about the FOI Process	Guides to Exemptions under the FOI Act
Complaints procedure – guide for parties	Accessing Government documents in Western Australia	Clause 4(2) – Information that has a commercial value
Producing documents to the Information Commissioner – guide for agencies	Third parties and their rights - guide for the public	Clause 4(3) – Business, professional, commercial or financial affairs
Preparing for a conciliation conference - guide for parties	Calculating time and days guide	Clause 6 – Deliberative processes of Government
Understanding the conciliation process - guide for parties	Consulting officers of agencies as third parties - guide for agencies	Clause 7 – Legal professional privilege
Consulting with third parties during external review - guide for agencies	FOI Coordinators Manual	Clause 8 – Confidential communications
Decisions of the Information Commissioner – guide for access applicants	Dealing with requests for documents related to an ‘exempt agency’	
Decisions of the Information Commissioner – guide for agencies		

**Table 12: Injury management targets**

Measure	Actual		Results against target	
	2015/16	2017/18	Target	Comment on Result
Number of fatalities	0	0	Zero (0)	No lost time injuries were experienced in the reporting period.
Lost time injury and/or disease incidence rate (LTI/D)	0	0	Zero (0) or 10% reduction	
Lost time injury and/or disease severity	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 financial year. In order to collate this, the following statistical information is required from each State and local government agency:

- 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.

At the completion of each financial year, the OIC provides an electronic form to all agencies in order that they may provide this information. The results from the collated data for 2017/18 are outlined in the following tables.

An overview of particular trends is outlined in the report on agency statistics on page [35](#) of this report.

### Index to tables

13	<a href="#">Requests received</a>
14	<a href="#">Decisions made</a>
15	<a href="#">Exemption clauses</a>
16	<a href="#">Outcomes: Internal Review</a>
17	<a href="#">Amendment of Personal Information</a>
18	<a href="#">Amendment of PI: Internal Review</a>
19	<a href="#">Fees and charges</a>
20	<a href="#">Reduction of charges</a>

Table 13: Requests received by agencies

AGENCY NAME	No.
<b>Group: Boards, Committees, Commissions, Authorities, Corporations</b>	
Acacia Prison	345
Animal Resources Authority	0
Botanic Gardens and Parks Authority	1
Building and Construction Industry Training Fund	0
Bunbury Water Board (Aqwest)	1
Burswood Park Board	0
Busselton Water	0
Chemistry Centre Western Australia	0
Commissioner for Children and Young People, Office of the	1
Construction Industry Long Service Leave Payments Board	1
Disability Services Commission	8
Economic Regulation Authority	0
Electoral Commission, Western Australian	1
Equal Opportunity Commission	4
Fire and Emergency Services Authority of Western Australia	193
Forest Products Commission	4
Fremantle Ports	2
Gold Corporation	0
Government Employees Superannuation Board	2
Great Southern Development Commission	0
Greyhound Racing Association, Western Australian	0
Horizon Power	3
Independent Market Operator	0
Industrial Relations Commission, Office of the Registrar	0
Institute of Sport, Western Australian	0
Insurance Commission of Western Australia	125

AGENCY NAME	No.
Kimberley Development Commission	2
Kimberley Ports Authority	0
Land Authority (LandCorp), Western Australian	3
Landgate	25
Law Reform Commission	0
Legal Aid Western Australia	5
Legal Practice Board of WA, The	9
Legal Profession Complaints Committee	3
Lotteries Commission	2
Melaleuca Remand and Reintegration Facility	10
Metropolitan Cemeteries Board	1
Metropolitan Redevelopment Authority	12
Mid West Development Commission	0
Midwest Ports Authority	0
Minerals and Energy Research Institute of Western	0
National Trust of Australia (WA)	0
Peel Development Commission	0
Port Hedland Port Authority	4
Public Advocate, Office of the	6
Public Sector Commission	12
Public Transport Authority	27
Racing and Wagering Western Australia	4
Rottneet Island Authority	5
Small Business Development Corporation	0
South West Development Commission	5
Sports Centre Trust (VenuesWest), Western Australian	3
State Administrative Tribunal	8
Synergy	2

AGENCY NAME	No.
Treasury Corporation, Western Australian	0
Trotting Association, Western Australian	0
Wandoo Reintegration Facility	7
Water Corporation	40
Western Power	31
Wheatbelt Development Commission	0
WorkCover Western Australia Authority (WorkCover WA)	133
Zoological Parks Authority	0
<i>Sub-Total: Boards, Committees, Commissions, Authorities, Corporations</i>	<b>1,050</b>
<b>Group: Departments (except Police and Health agencies)</b>	
Central Regional TAFE	3
Child Protection, Department for	372
Education, Department of	55
Finance, Department of	24
Housing, Department of	145
Indigenous Affairs, Department of	158
Jobs, Tourism, Science and Innovation, Department of	18
Justice, Department of	1,056
Local Government, Sport and Cultural Industries, Department	25
Main Roads Western Australia	58
Mines, Industry Regulation and Safety, Department of	863
North Metropolitan TAFE	28
Parks and Wildlife, Department of	19
Premier and Cabinet, Department of the	60
Public Trust Office	9
Regional Development, Department of	44
South Metropolitan TAFE	0
South Regional TAFE	3
Training and Workforce Development, Department of	3

AGENCY NAME	No.
Transport, Department of	263
Treasury, Department of	15
Water and Environmental Regulation, Department of	268
<i>Sub-Total: Departments (except Police and Health agencies)</i>	<b>3,489</b>
<b>Group: Health-related agencies</b>	
C&AHS - Princess Margaret Hospital for Children	241
Dental Health Services	1
EMHS - Armadale Kalamunda Group	476
EMHS - Bentley Health Service	315
EMHS - Corporate Office	12
EMHS - Royal Perth Hospital	2,124
<i>Sub-total: EMHS</i>	<b>2,927</b>
Health, Department of	54
Health and Disability Services Complaints Office	1
Mental Health Commission	2
NMHS - Sir Charles Gairdner Hospital Mental Health Unit	109
NMHS - Corporate Office	15
NMHS - Mental Health	278
NMHS - Osborne Park Hospital	105
NMHS - PathWest Laboratory Medicine WA	13
NMHS - Sir Charles Gairdner Hospital	666
NMHS - Women and Newborn Health Service	142
<i>Sub-total: NMHS</i>	<b>1,328</b>
SMHS - Fiona Stanley Hospital	690
SMHS - Corporate Office	7
SMHS - Fremantle Hospital and Health Service	207
SMHS - Rockingham Peel Group	432
<i>Sub-total: SMHS</i>	<b>1,336</b>



AGENCY NAME	No.
WACHS - Central Office	5
WACHS - Goldfields	273
WACHS - Great Southern	276
WACHS - Kimberley	561
WACHS - Midwest	387
WACHS - Pilbara	451
WACHS - South West	518
WACHS - Wheatbelt	651
<i>Sub-total: WACHS</i>	<i>3,122</i>
<i>Sub-Total: Health-related agencies</i>	<i>9,012</i>
<b>Group: Local government agencies</b>	
Albany, City of	12
Armadale, City of	13
Ashburton, Shire of	0
Augusta-Margaret River, Shire of	11
Bassendean, Town of	1
Bayswater, City of	26
Belmont, City of	6
Beverley, Shire of	0
Boddington, Shire of	0
Boyup Brook, Shire of	0
Bridgetown-Greenbushes, Shire of	2
Brookton, Shire of	1
Broome, Shire of	11
Broomehill, Shire of	0
Bruce Rock, Shire of	0
Bunbury, City of	9
Busselton, Shire of	12
Cambridge, Town of	12
Canning, City of	24

AGENCY NAME	No.
Capel, Shire of	4
Carnarvon, Shire of	3
Chapman Valley, Shire of	0
Chittering, Shire of	10
Cockburn, City of	30
Collie, Shire of	2
Coolgardie, Shire of	0
Coorow, Shire of	0
Corrigin, Shire of	0
Cottesloe, Town of	10
Cranbrook, Shire of	0
Cuballing, Shire of	0
Cue, Shire of	3
Cunderdin, Shire of	0
Dandaragan, Shire of	0
Dardanup, Shire of	3
Denmark, Shire of	3
Derby-West Kimberley, Shire of	2
Donnybrook-Balingup, Shire of	2
Dowerin, Shire of	0
Dumbleyung, Shire of	0
Dundas, Shire of	0
East Fremantle, Town of	1
Esperance, Shire of	11
Exmouth, Shire of	0
Fremantle, City of	25
Gingin, Shire of	8
Goomalling, Shire of	0
Gosnells, City of	24
Greater Geraldton, City of	11

AGENCY NAME	No.
Halls Creek, Shire of	0
Harvey, Shire of	4
Irwin, Shire of	0
Jerramungup, Shire of	0
Joondalup, City of	59
Kalamunda, Shire of	36
Kalgoorlie-Boulder, City of	11
Karratha, City of	6
Katanning, Shire of	2
Kellerberrin, Shire of	0
Kent, Shire of	0
Kojonup, Shire of	0
Kondinin, Shire of	0
Koorda, Shire of	0
Kulin, Shire of	0
Kwinana, Town of	7
Lake Grace, Shire of	0
Laverton, Shire of	0
Leonora, Shire of	0
Mandurah, City of	4
Manjimup, Shire of	4
Meekatharra, Shire of	0
Melville, City of	52
Merredin, Shire of	0
Mingenew, Shire of	0
Moorabool, Shire of	0
Morawa, Shire of	1
Mosman Park, Town of	14
Mount Marshall, Shire of	0
Mundaring, Shire of	16

AGENCY NAME	No.
Murchison, Shire of	0
Murray, Shire of	12
Narembeen, Shire of	0
Narrogin, Town of	1
Nedlands, City of	8
Ngaanyatjarraku, Shire of	0
Northam, Shire of	6
Northampton, Shire of	0
Nungarin, Shire of	0
Peppermint Grove, Shire of	3
Perth, City of	49
Pingelly, Shire of	0
Plantagenet, Shire of	1
Port Hedland, Town of	10
Quairading, Shire of	0
Rockingham, City of	15
Sandstone, Shire of	0
Serpentine/Jarrahdale, Shire of	17
Shark Bay, Shire of	2
South Perth, City of	27
Stirling, City of	56
Subiaco, City of	8
Swan, City of	52
Tammin, Shire of	0
Three Springs, Shire of	0
Toodyay, Shire of	4
Trayning, Shire of	0
Upper Gascoyne, Shire of	0
Victoria Park, Town of	19
Vincent, City of	11

AGENCY NAME	No.
Wagin, Shire of	0
Wanneroo, City of	37
Warooka, Shire of	3
West Arthur, Shire of	0
Westonia, Shire of	0
Wickepin, Shire of	0
Williams, Shire of	0
Wiluna, Shire of	1
Wyalkatchem, Shire of	0
York, Shire of	10
<i>Sub-Total: Local government agencies</i>	<b>860</b>
<b>Group: Ministers</b>	
Cook MLA, Hon R H	4
Dawson MLC, Hon S N	2
Ellery MLC, Hon S M	7
Johnston MLA, Hon W J	6
Kelly MLA, Hon D J	3
Logan MLA, Hon F M	8
MacTiernan MLC, Hon A	12
McGurk MLA, Hon S F	0
Murray MLA, Hon M P	3
Papalia MLA, Hon P	3
Quigley MLA, Hon J R	3
Roberts MLA, Hon M H	8
Saffioti MLA, Hon R	19

AGENCY NAME	No.
Templeman MLA, Hon D A	5
Tinley MLA, Hon P C	0
Wyatt MLA, Hon B S	13
<i>Sub-Total: Ministers</i>	<b>96</b>
<b>Group: Police</b>	
Police, Western Australia	2,718
<i>Sub-Total: Police</i>	<b>2,718</b>
<b>Group: Universities</b>	
Curtin University of Technology	3
Edith Cowan University	14
Murdoch University	10
University of Western Australia, The	6
<i>Sub-Total: Universities</i>	<b>33</b>
<b>TOTAL</b>	<b>17,258</b>

SUMMARY	No.
Boards, Committees, Commissions, Authorities, Corp's	1,050
Departments (except Police and Health agencies)	3,489
Health-related agencies	9,012
Local government agencies	860
Ministers	96
Police	2,718
Universities	33
<b>TOTAL</b>	<b>17,258</b>

**Notes:**

- (1) This table reflects the total number of applications lodged and includes applications which may have been transferred to another agency, withdrawn or which are still to be dealt with.
- (2) The number actually dealt with by a decision issued to the applicant is reflected in the following table.
- (3) If an agency does not appear in this table, this is because the required statistical data was not received in time for publication.

Table 14: Decisions made – outcome

AGENCY	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	s.26 No. (%)	Refused No. (%)
<b>Group: Boards, Committees, Commissions, Authorities, Corporations</b>						
Acacia Prison	174(51.8)	157(46.7)	0(0.0)	0(0.0)	5(1.5)	0(0.0)
Botanic Gardens and Parks Authority	0(0.0)	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Bunbury Water Board (Aqwest)	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Commissioner for Children and Young People, Office of the	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Construction Industry Long Service Leave Payments Board	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Disability Services Commission	1(16.7)	5(83.3)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Electoral Commission, Western Australian	0(0.0)	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Equal Opportunity Commission	1(25.0)	1(25.0)	0(0.0)	0(0.0)	2(50.0)	0(0.0)
Fire and Emergency Services Authority of Western Australia	1(0.5)	178(93.2)	6(3.1)	0(0.0)	6(3.1)	0(0.0)
Forest Products Commission	0(0.0)	2(66.7)	0(0.0)	0(0.0)	1(33.3)	0(0.0)
Fremantle Ports	0(0.0)	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Government Employees Superannuation Board	0(0.0)	1(100.0)	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)
Insurance Commission of Western Australia	1(1.6)	61(98.4)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Kimberley Development Commission	0(0.0)	2(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Land Authority (LandCorp), Western Australian	0(0.0)	1(50.0)	0(0.0)	0(0.0)	1(50.0)	0(0.0)
Landgate	16(80.0)	2(10.0)	0(0.0)	0(0.0)	0(0.0)	2(10.0)
Legal Aid Western Australia	1(33.3)	2(66.7)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Legal Practice Board of WA, The	0(0.0)	5(71.4)	0(0.0)	0(0.0)	2(28.6)	0(0.0)
Legal Profession Complaints Committee	1(33.3)	1(33.3)	0(0.0)	0(0.0)	0(0.0)	1(33.3)
Lotteries Commission	0(0.0)	2(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Melaleuca Remand and Reintegration Facility	0(0.0)	1(16.7)	0(0.0)	0(0.0)	1(16.7)	4(66.7)

AGENCY	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	s.26 No. (%)	Refused No. (%)
Metropolitan Cemeteries Board	0(0.0)	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Metropolitan Redevelopment Authority	0(0.0)	8(66.7)	1(8.3)	0(0.0)	1(8.3)	2(16.7)
Port Hedland Port Authority	0(0.0)	3(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Public Advocate, Office of the	0(0.0)	5(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Public Sector Commission	0(0.0)	9(81.8)	0(0.0)	0(0.0)	2(18.2)	0(0.0)
Public Transport Authority	6(18.2)	20(60.6)	0(0.0)	0(0.0)	5(15.2)	2(6.1)
Racing and Wagering Western Australia	0(0.0)	4(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Rottneest Island Authority	0(0.0)	5(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
South West Development Commission	4(80.0)	0(0.0)	1(20.0)	0(0.0)	0(0.0)	0(0.0)
Sports Centre Trust (VenuesWest), Western Australian	0(0.0)	1(33.3)	0(0.0)	0(0.0)	1(33.3)	1(33.3)
State Administrative Tribunal	0(0.0)	0(0.0)	0(0.0)	0(0.0)	1(12.5)	7(87.5)
Synergy	0(0.0)	2(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Wandoo Reintegration Facility	4(100.0)	0(0.0)	0(0.0)	0(0.0)		0(0.0)
Water Corporation	10(24.4)	24(58.5)	0(0.0)	0(0.0)	1(2.4)	6(14.6)
Western Power	1(4.2)	21(87.5)	0(0.0)	0(0.0)	2(8.3)	0(0.0)
WorkCover Western Australia Authority (WorkCover WA)	83(64.8)	20(15.6)	0(0.0)	0(0.0)	22(17.2)	3(2.3)
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<b>308(32.6)</b>	<b>548(58.0)</b>	<b>8(0.8)</b>	<b>0(0.0)</b>	<b>53(5.6)</b>	<b>28(3.0)</b>
<b>Group: Departments (except Police and Health agencies)</b>						
Central Regional TAFE	1(33.3)	1(33.3)	1(33.3)	0(0.0)	0(0.0)	0(0.0)
Child Protection, Department for	19(5.9)	270(84.4)	0(0.0)	0(0.0)	19(5.9)	12(3.8)
Education, Department of	5(25.0)	7(35.0)	0(0.0)	0(0.0)	3(15.0)	5(25.0)
Finance, Department of	15(68.2)	5(22.7)	0(0.0)	0(0.0)	0(0.0)	2(9.1)

AGENCY	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	s.26 No. (%)	Refused No. (%)
Housing, Department of	116(83.5)	15(10.8)	0(0.0)	0(0.0)	6(4.3)	2(1.4)
Indigenous Affairs, Department of	0(0.0)	115(79.9)	0(0.0)	0(0.0)	27(18.8)	2(1.4)
Jobs, Tourism, Science and Innovation, Department of	7(41.2)	2(11.8)	0(0.0)	0(0.0)	2(11.8)	6(35.3)
Justice, Department of	194(22.0)	563(63.8)	0(0.0)	0(0.0)	72(8.2)	54(6.1)
Local Government, Sport and Cultural Industries, Department of	2(9.5)	18(85.7)	0(0.0)	0(0.0)	0(0.0)	1(4.8)
Main Roads Western Australia	3(6.1)	36(73.5)	0(0.0)	0(0.0)	2(4.1)	8(16.3)
Mines, Industry Regulation and Safety, Department of	188(23.1)	263(32.3)	0(0.0)	0(0.0)	339(41.6)	25(3.1)
North Metropolitan TAFE	25(96.2)	1(3.8)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Parks and Wildlife, Department of	5(29.4)	11(64.7)	0(0.0)	0(0.0)	0(0.0)	1(5.9)
Premier and Cabinet, Department of the	10(16.4)	28(45.9)	0(0.0)	0(0.0)	13(21.3)	10(16.4)
Regional Development, Department of	3(7.7)	20(51.3)	1(2.6)	0(0.0)	14(35.9)	1(2.6)
South Regional TAFE	0(0.0)	3(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Training and Workforce Development, Department of	1(33.3)	2(66.7)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Transport, Department of	83(30.7)	96(35.6)	1(0.4)	0(0.0)	34(12.6)	56(20.7)
Treasury, Department of	3(18.8)	5(31.3)	0(0.0)	0(0.0)	0(0.0)	8(50.0)
Water and Environmental Regulation, Department of	45(19.4)	35(15.1)	32(13.8)	0(0.0)	112(48.3)	8(3.4)
<i>Sub-total: Departments (except Police and Health agencies)</i>	<b>725(23.4)</b>	<b>1496(48.3)</b>	<b>35(1.1)</b>	<b>0(0.0)</b>	<b>643(20.7)</b>	<b>201(6.5)</b>
<b>Group: Health related agencies</b>						
C&AHS - Princess Margaret Hospital for Children	213(85.9)	15(6.0)	0(0.0)	0(0.0)	4(1.6)	16(6.5)
Dental Health Services	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	1(100.0)
EMHS - Armadale Kalamunda Group	426(94.5)	21(4.7)	0(0.0)	1(0.2)	4(0.9)	0(0.0)
EMHS - Bentley Health Service	37(12.6)	241(82.0)	0(0.0)	2(0.7)	16(5.4)	0(0.0)
EMHS - Corporate Office	4(50.0)	1(12.5)	0(0.0)	0(0.0)	3(37.5)	0(0.0)
EMHS - Royal Perth Hospital	2029(97.4)	5(0.2)	0(0.0)	0(0.0)	29(1.4)	20(1.0)

AGENCY	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	s.26 No. (%)	Refused No. (%)
Health, Department of	22(48.9)	20(44.4)	0(0.0)	0(0.0)	2(4.4)	1(2.2)
Health and Disability Services Complaints Office	0(0.0)	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Mental Health Commission	0(0.0)	3(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
NMAHS - Sir Charles Gairdner Hospital Mental Health Unit	0(0.0)	85(98.8)	0(0.0)	0(0.0)	1(1.2)	0(0.0)
NMHS - Corporate Office	1(9.1)	8(72.7)	0(0.0)	0(0.0)	2(18.2)	0(0.0)
NMHS - Mental Health	235(86.1)	23(8.4)	0(0.0)	3(1.1)	15(5.5)	0(0.0)
NMHS - Osborne Park Hospital	102(97.1)	0(0.0)	0(0.0)	0(0.0)	2(1.9)	1(1.0)
NMHS - PathWest Laboratory Medicine WA	7(63.6)	1(9.1)	0(0.0)	0(0.0)	3(27.3)	0(0.0)
NMHS - Sir Charles Gairdner Hospital	520(84.8)	55(9.0)	0(0.0)	0(0.0)	38(6.2)	0(0.0)
NMHS - Women and Newborn Health Service	46(36.5)	68(54.0)	1(0.8)	1(0.8)	11(8.7)	0(0.0)
SMAHS - Fiona Stanley Hospital	725(94.9)	14(1.8)	0(0.0)	0(0.0)	23(3.0)	2(0.3)
SMHS - Corporate Office	4(66.7)	0(0.0)	0(0.0)	0(0.0)	1(16.7)	1(16.7)
SMHS - Fremantle Hospital and Health Service	140(64.8)	71(32.9)	0(0.0)	1(0.5)	5(2.3)	0(0.0)
SMHS - Rockingham Peel Group	329(81.8)	62(15.4)	0(0.0)	1(0.2)	10(2.5)	1(0.2)
WACHS - Central Office	2(66.7)	1(33.3)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
WACHS - Goldfields	256(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
WACHS - Great Southern	7(2.4)	269(92.4)	0(0.0)	0(0.0)	13(4.5)	2(0.7)
WACHS - Kimberley	186(35.5)	328(62.6)	0(0.0)	0(0.0)	9(1.7)	1(0.2)
WACHS - Midwest	7(1.9)	335(90.1)	0(0.0)	0(0.0)	25(6.7)	5(1.3)
WACHS - Pilbara	14(3.4)	382(92.9)	0(0.0)	34(8.3)	11(2.7)	4(1.0)
WACHS - South West	365(75.1)	114(23.5)	0(0.0)	3(0.6)	6(1.2)	1(0.2)
WACHS - Wheatbelt	244(37.5)	391(60.1)	0(0.0)	0(0.0)	15(2.3)	1(0.2)
<i>Sub-total: Health related agencies</i>	<b>5,921(67.4)</b>	<b>2,514(28.6)</b>	<b>1(0.01)</b>	<b>46(0.5)</b>	<b>248(2.8)</b>	<b>57(0.6)</b>



AGENCY	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	s.26 No. (%)	Refused No. (%)
<b>Group: Local government agencies</b>						
Albany, City of	4(36.4)	5(45.5)	0(0.0)	0(0.0)	2(18.2)	0(0.0)
Armadale, City of	1(6.7)	14(93.3)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Augusta-Margaret River, Shire of	8(72.7)	3(27.3)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Bassendean, Town of	0(0.0)	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Bayswater, City of	4(17.4)	14(60.9)	0(0.0)	0(0.0)	5(21.7)	0(0.0)
Belmont, City of	0(0.0)	4(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Bridgetown-Greenbushes, Shire of	2(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Broome, Shire of	5(71.4)	2(28.6)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Bunbury, City of	4(44.4)	5(55.6)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Busselton, Shire of	2(22.2)	6(66.7)	0(0.0)	0(0.0)	0(0.0)	1(11.1)
Cambridge, Town of	0(0.0)	10(83.3)	0(0.0)	0(0.0)	0(0.0)	2(16.7)
Canning, City of	18(94.7)	1(5.3)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Capel, Shire of	0(0.0)	2(50.0)	0(0.0)	0(0.0)	0(0.0)	2(50.0)
Carnarvon, Shire of	0(0.0)	2(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Chittering, Shire of	1(14.3)	6(85.7)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Cockburn, City of	0(0.0)	27(96.4)	0(0.0)	0(0.0)	1(3.6)	0(0.0)
Collie, Shire of	0(0.0)	2(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Cottesloe, Town of	0(0.0)	11(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Cue, Shire of	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	3(100.0)
Dardanup, Shire of	1(33.3)	1(33.3)	0(0.0)	0(0.0)	0(0.0)	1(33.3)
Denmark, Shire of	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Derby-West Kimberley, Shire of	0(0.0)	0(0.0)	0(0.0)	0(0.0)	1(50.0)	1(50.0)
Donnybrook-Balingup, Shire of	2(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
East Fremantle, Town of	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)

AGENCY	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	s.26 No. (%)	Refused No. (%)
Esperance, Shire of	7(63.6)	3(27.3)	0(0.0)	0(0.0)	0(0.0)	1(9.1)
Fremantle, City of	3(12.0)	21(84.0)	0(0.0)	0(0.0)	1(4.0)	0(0.0)
Gingin, Shire of	0(0.0)	2(50.0)	0(0.0)	4(100.0)	2(50.0)	0(0.0)
Gosnells, City of	0(0.0)	19(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Greater Geraldton, City of	1(9.1)	7(63.6)	0(0.0)	0(0.0)	3(27.3)	0(0.0)
Harvey, Shire of	3(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Joondalup, City of	1(1.8)	54(96.4)	0(0.0)	0(0.0)	1(1.8)	0(0.0)
Kalamunda, Shire of	5(13.2)	31(81.6)	0(0.0)	0(0.0)	2(5.3)	0(0.0)
Kalgoorlie-Boulder, City of	4(36.4)	5(45.5)	0(0.0)	0(0.0)	1(9.1)	1(9.1)
Karratha, City of	2(33.3)	3(50.0)	0(0.0)	0(0.0)	1(16.7)	0(0.0)
Katanning, Shire of	2(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Kwinana, Town of	0(0.0)	5(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Mandurah, City of	1(33.3)	2(66.7)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Manjimup, Shire of	0(0.0)	3(75.0)	0(0.0)	0(0.0)	1(25.0)	0(0.0)
Melville, City of	22(45.8)	17(35.4)	0(0.0)	0(0.0)	1(2.1)	8(16.7)
Morawa, Shire of	0(0.0)	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Mosman Park, Town of	1(7.7)	8(61.5)	0(0.0)	0(0.0)	3(23.1)	1(7.7)
Mundaring, Shire of	1(6.3)	14(87.5)	0(0.0)	0(0.0)	1(6.3)	0(0.0)
Murray, Shire of	1(8.3)	10(83.3)	0(0.0)	0(0.0)	1(8.3)	0(0.0)
Narrogin, Town of	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Nedlands, City of	0(0.0)	6(85.7)	0(0.0)	0(0.0)	0(0.0)	1(14.3)
Northam, Shire of	4(66.7)	2(33.3)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Peppermint Grove, Shire of	1(50.0)	1(50.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Perth, City of	4(7.5)	41(77.4)	0(0.0)	0(0.0)	6(11.3)	2(3.8)
Plantagenet, Shire of	0(0.0)	0(0.0)	0(0.0)	0(0.0)	1(100.0)	0(0.0)

AGENCY	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	s.26 No. (%)	Refused No. (%)
Port Hedland, Town of	1(10.0)	4(40.0)	0(0.0)	0(0.0)	2(20.0)	3(30.0)
Rockingham, City of	1(6.3)	12(75.0)	0(0.0)	0(0.0)	3(18.8)	0(0.0)
Serpentine/Jarrahdale, Shire of	2(13.3)	10(66.7)	0(0.0)	0(0.0)	0(0.0)	3(20.0)
Shark Bay, Shire of	2(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
South Perth, City of	3(12.5)	11(45.8)	0(0.0)	0(0.0)	5(20.8)	5(20.8)
Stirling, City of	3(6.5)	40(87.0)	0(0.0)	0(0.0)	1(2.2)	2(4.3)
Subiaco, City of	0(0.0)	4(80.0)	0(0.0)	0(0.0)	1(20.0)	0(0.0)
Swan, City of	2(3.4)	50(86.2)	0(0.0)	0(0.0)	6(10.3)	0(0.0)
Toodyay, Shire of	1(25.0)	3(75.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Victoria Park, Town of	1(4.8)	19(90.5)	0(0.0)	0(0.0)	1(4.8)	0(0.0)
Vincent, City of	1(10.0)	9(90.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Wanneroo, City of	2(6.7)	24(80.0)	0(0.0)	0(0.0)	4(13.3)	0(0.0)
Waroon, Shire of	3(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
York, Shire of	0(0.0)	7(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
<i>Sub-total: Local government agencies</i>	<b>140(17.5)</b>	<b>564(70.3)</b>	<b>0(0.0)</b>	<b>4(0.5)</b>	<b>57(7.1)</b>	<b>37(4.6)</b>
<b>Group: Ministers</b>						
Cook MLA, Hon R H	0(0.0)	2(50.0)	0(0.0)	0(0.0)	1(25.0)	1(25.0)
Dawson MLC, Hon S N	0(0.0)	0(0.0)	0(0.0)	0(0.0)	1(100.0)	0(0.0)
Ellery MLC, Hon S M	0(0.0)	7(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Johnston MLA, Hon W J	3(42.9)	4(57.1)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Kelly MLA, Hon D J	1(25.0)	3(75.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Logan MLA, Hon F M	3(33.3)	4(44.4)	0(0.0)	0(0.0)	1(11.1)	1(11.1)
MacTiernan MLC, Hon A	0(0.0)	9(100.0)	0(0.0)	1(11.1)	0(0.0)	0(0.0)
Murray MLA, Hon M P	0(0.0)	0(0.0)	0(0.0)	0(0.0)	1(33.3)	2(66.7)

AGENCY	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	s.26 No. (%)	Refused No. (%)
Papalia MLA, Hon P	0(0.0)	1(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Quigley MLA, Hon J R	0(0.0)	0(0.0)	0(0.0)	0(0.0)	1(50.0)	1(50.0)
Roberts MLA, Hon M H	0(0.0)	6(85.7)	0(0.0)	0(0.0)	1(14.3)	0(0.0)
Saffioti MLA, Hon R	1(9.1)	8(72.7)	0(0.0)	0(0.0)	2(18.2)	0(0.0)
Templeman MLA, Hon D A	0(0.0)	3(75.0)	0(0.0)	0(0.0)	0(0.0)	1(25.0)
Wyatt MLA, Hon B S	2(15.4)	11(84.6)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
<i>Sub-total: Ministers</i>	<b>10(12.0)</b>	<b>58(69.8)</b>	<b>0(0.0)</b>	<b>1(1.2)</b>	<b>8(9.6)</b>	<b>6(7.2)</b>
<b>Group: Police</b>						
Police, Western Australia	259(10.8)	1870(78.1)	0(0.0)	2(0.1)	168(7.0)	96(4.0)
<i>Sub-total: Police</i>	<b>405(20.0)</b>	<b>1311(64.6)</b>	<b>0(0.00)</b>	<b>2(0.1)</b>	<b>129(6.4)</b>	<b>182(9.0)</b>
<b>Group: Universities</b>						
Curtin University of Technology	0(0.0)	5(100.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Edith Cowan University	5(41.7)	3(25.0)	0(0.0)	0(0.0)	0(0.0)	4(33.3)
Murdoch University	3(30.0)	6(60.0)	0(0.0)	0(0.0)	1(10.0)	0(0.0)
University of Western Australia, The	0(0.0)	3(75.0)	0(0.0)	0(0.0)	0(0.0)	1(25.0)
<i>Sub-total: Universities</i>	<b>8(25.8)</b>	<b>17(54.8)</b>	<b>0(0.0)</b>	<b>0(0.0)</b>	<b>1(3.2)</b>	<b>5(16.1)</b>
<b>Total</b>	<b>7,517</b>	<b>6,508</b>	<b>44</b>	<b>53</b>	<b>1,139</b>	<b>516</b>
<b>Percentage</b>	<b>(47.6)</b>	<b>(41.2)</b>	<b>(0.3)</b>	<b>(0.3)</b>	<b>(7.2)</b>	<b>(3.3)</b>
<b>Grand Total</b>	<b>15,777</b>					

AGENCY	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	s.26 No. (%)	Refused No. (%)
<b>Summary</b>	<b>7,517(47.6)</b>	<b>6,508(41.2)</b>	<b>44(0.3)</b>	<b>53(0.3)</b>	<b>1,139(7.2)</b>	<b>516(3.3)</b>
Boards, Committees, Commissions, Authorities, Corporations	308(32.6)	548(58.0)	8(0.8)	0(0.0)	53(5.6)	28(3.0)
Departments (except Police and Health agencies)	725(23.4)	1496(48.3)	35(1.1)	0(0.0)	643(20.7)	201(6.5)
Health-related agencies	5,921(67.4)	2,514(28.6)	1(0.01)	46(0.5)	248(2.8)	57(0.6)
Local government agencies	140(17.5)	564(70.3)	0(0.0)	4(0.5)	57(7.1)	37(4.6)
Ministers	10(12.0)	58(69.8)	0(0.0)	1(1.2)	8(9.6)	6(7.2)
Police	405(20.0)	1311(64.6)	0(0.00)	2(0.1)	129(6.4)	182(9.0)
Universities	8(25.8)	17(54.8)	0(0.0)	0(0.0)	1(3.2)	5(16.1)
<b>Total</b>	<b>7,517</b>	<b>6,508</b>	<b>44</b>	<b>53</b>	<b>1,139</b>	<b>516</b>
<b>Percentage</b>	<b>(47.6)</b>	<b>(41.2)</b>	<b>(0.3)</b>	<b>(0.3)</b>	<b>(7.2)</b>	<b>(3.3)</b>
<b>Grand Total</b>	<b>15,777</b>					

**Note:** *This table reflects decisions made by agencies.  
Those agencies which did not decide any applications in 2017/18 are not listed.*

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

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
<b>Group: Boards, Committees, Commissions, Authorities, Corporations</b>																
Acacia Prison	0	0	148	0	0	6	0	0	0	0	0	0	0	0	0	0
Botanic Gardens and Parks Authority	0	0	34	0	0	0	0	4	3	0	0	0	0	0	0	0
Disability Services Commission	0	0	5	0	0	0	1	1	0	0	0	1	0	0	0	0
Electoral Commission, Western Australian	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Equal Opportunity Commission	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0
Fire and Emergency Services Authority of Western Australia	2	0	178	1	0	0	0	0	0	0	0	0	0	0	0	0
Fremantle Ports	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
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	1	0	0	0	0	0	0	0	0
Insurance Commission of Western Australia	0	0	61	3	0	0	12	12	0	0	0	0	0	0	0	0
Kimberley Development Commission	0	0	1	1	0	0	0	1	0	0	0	0	0	0	0	0
Land Authority (LandCorp), Western Australian	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Landgate	0	0	1	1	0	0	0	0	0	0	0	0	0	0	2	0
Legal Aid Western Australia	0	0	2	0	0	1	0	0	0	0	0	0	0	0	0	0
Legal Practice Board of WA, The	0	0	14	0	0	0	4	36	0	0	0	0	0	0	0	0
Legal Profession Complaints Committee	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
Lotteries Commission	0	0	2	0	0	0	0	1	0	0	0	0	0	0	0	0
Melaleuca Remand and Reintegration Facility	0	0	0	0	0	4	0	0	0	0	0	0	0	0	0	0
Metropolitan Cemeteries Board	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Metropolitan Redevelopment Authority	0	0	7	4	0	0	0	1	0	0	1	0	0	0	0	0
Port Hedland Port Authority	0	0	3	2	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
Public Advocate, Office of the	0	0	6	0	0	0	0	0	4	0	0	0	0	0	0	0
Public Sector Commission	5	0	13	1	0	1	1	6	4	0	0	0	4	0	0	0
Public Transport Authority	1	0	13	3	0	0	0	1	2	0	3	0	0	0	0	0
Racing and Wagering Western Australia	0	0	49	0	1	15	0	32	5	0	0	0	0	0	0	0
Rottnest Island Authority	0	0	5	0	0	0	2	2	0	1	0	0	0	0	0	0
Sports Centre Trust (VenuesWest), Western Australian	0	0	0	1	0	1	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	8	0
Synergy	1	0	2	1	0	0	1	0	0	0	1	1	0	0	0	0
Water Corporation	0	0	23	7	0	0	0	4	6	0	1	0	0	0	0	0
Western Power	0	0	20	0	0	0	0	0	0	0	0	0	0	0	0	0
WorkCover Western Australia Authority (WorkCover WA)	0	0	8	0	0	0	1	0	0	0	0	0	0	0	0	0
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<b>9</b>	<b>0</b>	<b>600</b>	<b>26</b>	<b>1</b>	<b>28</b>	<b>23</b>	<b>104</b>	<b>24</b>	<b>1</b>	<b>6</b>	<b>2</b>	<b>4</b>	<b>0</b>	<b>10</b>	<b>0</b>
<b>Group: Departments, (except Police and Health agencies)</b>																
Child Protection, Department for	0	2	274	4	0	36	3	2	5	0	0	2	1	2	125	0
Education, Department of	1	0	4	1	0	0	0	2	0	0	0	0	0	0	0	0
Finance, Department of	2	0	1	0	0	1	0	2	2	0	1	0	1	0	0	0
Housing, Department of	0	0	14	1	0	0	0	2	6	0	0	0	0	0	0	0
Indigenous Affairs, Department of	1	0	108	4	0	1	4	6	2	0	0	0	3	0	0	0
Jobs, Tourism, Science and Innovation, Department of	0	0	2	3	0	0	1	1	0	0	1	1	0	0	0	0
Justice, Department of	4	0	535	0	0	35	0	1	0	0	0	101	0	0	0	0
Local Government, Sport and Cultural Industries, Department of	0	0	17	2	0	0	0	1	0	0	0	0	0	0	0	0
Main Roads Western Australia	0	0	30	5	0	0	1	4	2	0	1	0	2	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
Mines, Industry Regulation and Safety, Department of		0	0	237	63	0	27	13	40	39	0	1	3	3	0	0
North Metropolitan TAFE		0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
Parks and Wildlife, Department of	1	1	7	1	0	4	2	2	0	0	0	0	0	0	0	0
Premier and Cabinet, Department of the	7	3	18	2	0	3	1	4	0	0	1	0	11	0	0	0
Regional Development, Department of	4	0	16	2	0	2	0	2	2	0	1	0	1	0	0	0
Training and Workforce Development, Department of	1	0	2	0	0	0	0	0	0	0	0	0	1	0	0	0
Transport, Department of	3	0	129	5	0	4	3	1	5	0	2	2	0	0	0	0
Treasury, Department of	5	0	1	2	0	0	0	2	0	1	2	0	2	0	0	0
<i>Sub-total: Departments (Except Police and Health agencies)</i>	<b>29</b>	<b>6</b>	<b>1395</b>	<b>95</b>	<b>0</b>	<b>113</b>	<b>28</b>	<b>72</b>	<b>64</b>	<b>1</b>	<b>10</b>	<b>109</b>	<b>25</b>	<b>2</b>	<b>125</b>	<b>0</b>
<b>Group: Health related agencies</b>																
C&AHS - Princess Margaret Hospital for Children	0	0	32	0	0	0	0	0	0	0	0	0	0	0	0	0
Dental Health Services	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
EMHS - Armadale Kalamunda Group	0	0	21	0	0	0	0	0	0	0	0	0	0	0	0	0
EMHS - Bentley Health Service	0	0	241	0	0	0	0	0	0	0	0	0	0	0	0	0
EMHS - Royal Perth Hospital	0	0	18	1	0	0	0	0	3	0	0	0	0	0	0	0
Health, Department of	3	0	21	1	0	0	1	5	1	0	0	1	0	0	0	0
Health and Disability Services Complaints Office	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Mental Health Commission	3	0	3	1	0	0	0	2	1	0	0	1	0	0	0	0
NMAHS - Sir Charles Gairdner Hospital Mental Health Unit	0	0	85	0	0	0	0	0	0	0	0	0	0	0	0	0
NMHS - Corporate Office	0	0	2	3	0	0	0	0	2	0	0	2	0	0	0	0
NMHS - Mental Health	0	0	21	0	0	1	0	0	6	0	0	1	0	0	0	0
NMHS - Osborne Park Hospital	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
NMHS - PathWest Laboratory Medicine WA	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
NMHS - Sir Charles Gairdner Hospital	0	0	55	0	0	0	0	0	0	0	0	0	0	0	0	0
NMHS - Women and Newborn Health Service	0	0	69	0	0	0	0	0	0	0	0	0	0	0	0	0
SMAHS - Fiona Stanley Hospital	0	0	13	0	0	0	0	0	0	0	0	0	0	0	0	0
SMHS - Fremantle Hospital and Health Service	0	0	67	1	0	0	0	1	1	0	0	0	0	0	0	0
SMHS - Rockingham Peel Group	0	0	62	0	0	0	0	0	4	0	0	0	0	0	0	0
WACHS - Central Office	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0
WACHS - Great Southern	0	0	270	0	0	0	0	0	0	0	0	0	0	0	0	0
WACHS - Midwest	0	0	336	0	0	1	0	0	0	0	0	0	0	0	0	0
WACHS - South West	0	0	113	0	0	0	0	0	0	0	0	0	0	0	0	0
WACHS - Wheatbelt	0	0	390	1	0	0	0	0	0	0	0	0	0	0	0	0
<i>Sub-total: Health related agencies</i>	<b>6</b>	<b>0</b>	<b>1826</b>	<b>8</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>8</b>	<b>19</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Group: Local government agencies</b>																
Albany, City of	0	0	5	5	0	0	0	0	0	0	0	0	0	0	0	0
Armadale, City of	0	0	14	0	0	1	0	2	0	0	0	0	0	0	0	0
Augusta-Margaret River, Shire of	0	0	1	2	0	1	0	0	0	0	0	0	0	0	0	0
Bayswater, City of	0	0	13	0	0	1	0	0	0	0	0	0	0	0	0	0
Belmont, City of	0	0	4	1	0	0	0	0	0	0	0	0	0	0	0	0
Broome, Shire of	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Bunbury, City of	0	0	5	0	0	0	0	1	0	0	0	0	0	0	0	0
Busselton, Shire of	0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0
Cambridge, Town of	0	0	10	1	0	3	1	0	0	0	0	0	0	0	0	0
Capel, Shire of	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0
Carnarvon, Shire of	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0
Chittering, Shire of	0	0	7	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
Cockburn, City of	0	0	24	5	0	0	0	2	0	0	0	0	0	0	0	0
Cottesloe, Town of	0	0	11	0	0	0	1	1	0	0	0	0	0	0	0	0
Cue, Shire of	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Dardanup, Shire of	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Denmark, Shire of	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0
Derby-West Kimberley, Shire of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Esperance, Shire of	0	0	3	0	0	0	0	0	0	0	1	0	0	0	0	0
Fremantle, City of	0	0	19	1	0	0	0	2	0	0	0	0	0	0	0	0
Gosnells, City of	0	0	22	0	0	0	0	0	0	0	0	0	0	0	0	0
Greater Geraldton, City of	0	0	6	3	0	0	0	0	0	0	0	0	0	0	0	0
Joondalup, City of	0	0	52	0	0	10	0	4	1	0	0	0	0	0	0	0
Kalamunda, Shire of	0	0	34	2	0	0	0	2	0	0	1	0	0	0	0	0
Kalgoorlie-Boulder, City of	0	0	8	0	0	0	0	1	0	0	0	0	0	0	0	0
Karratha, City of	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
Kwinana, Town of	0	1	3	1	0	0	1	1	0	0	0	0	0	0	0	0
Mandurah, City of	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Manjimup, Shire of	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
Melville, City of	0	0	17	2	0	1	2	1	0	0	0	0	0	0	0	0
Morawa, Shire of	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
Mosman Park, Town of	0	0	8	1	0	1	0	0	0	0	0	0	0	0	0	0
Mundaring, Shire of	0	0	13	0	0	0	0	1	0	0	0	0	0	0	0	0
Murray, Shire of	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Northam, Shire of	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Peppermint Grove, Shire of	0	0	7	6	0	0	0	0	3	0	0	0	0	0	0	0

AGENCY	EXEMPTION CLAUSE (Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Perth, City of	0	0	41	9	0	2	4	6	8	0	0	0	0	0	0	0
Port Hedland, Town of	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
Rockingham, City of	0	0	11	0	0	1	1	0	0	0	0	0	0	0	0	0
Serpentine/Jarrahdale, Shire of	0	0	10	0	0	0	1	0	0	0	0	0	0	0	0	0
South Perth, City of	0	0	16	3	0	0	0	2	0	0	0	0	0	0	0	0
Stirling, City of	0	0	46	1	0	4	1	1	2	0	0	0	0	0	0	0
Subiaco, City of	0	0	4	2	0	0	0	0	0	0	0	0	0	0	0	0
Swan, City of	0	0	49	3	0	4	0	3	0	0	0	0	1	0	0	0
Toodyay, Shire of	0	0	1	1	0	1	2	1	2	0	0	1	0	0	0	0
Victoria Park, Town of	0	0	19	4	0	0	0	0	1	0	0	0	0	0	0	0
Vincent, City of	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0
Wanneroo, City of	0	0	24	0	0	0	0	0	1	0	0	0	0	0	0	0
York, Shire of	0	0	10	4	0	0	0	2	1	0	0	0	0	0	1	0
<i>Sub-total: Local government agencies</i>	<b>0</b>	<b>1</b>	<b>551</b>	<b>63</b>	<b>0</b>	<b>30</b>	<b>15</b>	<b>34</b>	<b>20</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>Group: Ministers</b>																
Cook MLA, Hon R H	0	0	2	0	0	0	0	0	0	0	0	0	2	0	0	0
Ellery MLC, Hon S M	2	0	5	0	0	0	1	0	0	0	0	0	3	0	0	0
Johnston MLA, Hon W J	0	0	4	1	0	0	0	1	0	0	0	0	0	0	0	0
Kelly MLA, Hon D J	1	0	2	0	0	0	0	0	1	0	0	0	2	0	0	0
Logan MLA, Hon F M	3	0	1	0	0	0	0	0	0	0	0	0	2	0	0	0
MacTiernan MLC, Hon A	1	0	9	2	0	1	1	5	1	0	0	0	1	0	0	0
Murray MLA, Hon M P	1	0	2	0	0	0	0	0	0	0	0	0	1	0	0	0
Papalia MLA, Hon P	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Quigley MLA, Hon J R	0	0	1	0	0	0	0	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
Roberts MLA, Hon M H	3	0	3	1	0	4	3	1	0	0	0	1	3	0	0	0
Templeman MLA, Hon D A	0	0	3	0	0	0	0	0	1	0	0	0	1	0	0	0
Wyatt MLA, Hon B S	6	0	8	3	0	0	2	2	0	0	4	0	5	0	0	0
<i>Sub-total: Ministers</i>	<b>17</b>	<b>0</b>	<b>41</b>	<b>7</b>	<b>0</b>	<b>5</b>	<b>7</b>	<b>10</b>	<b>3</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>20</b>	<b>0</b>	<b>0</b>	<b>0</b>
Police, Western Australia	0	0	1272	0	0	190	17	3	1	0	0	0	12	0	0	0
<i>Sub-total: Police</i>	<b>0</b>	<b>0</b>	<b>1272</b>	<b>0</b>	<b>0</b>	<b>190</b>	<b>17</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>
Curtin University of Technology	0	0	5	0	0	3	0	4	2	0	0	0	0	0	0	0
Edith Cowan University	0	0	0	0	0	5	0	0	0	0	0	0	0	0	0	0
Murdoch University	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0
University of Western Australia, The	0	0	3	0	0	0	1	0	1	0	0	0	0	0	0	0
<i>Sub-total: Universities</i>	<b>0</b>	<b>0</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>1</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total</b>	<b>61</b>	<b>7</b>	<b>5698</b>	<b>199</b>	<b>1</b>	<b>376</b>	<b>92</b>	<b>235</b>	<b>134</b>	<b>2</b>	<b>22</b>	<b>118</b>	<b>62</b>	<b>2</b>	<b>136</b>	<b>0</b>

**Note:** Agencies which did not cite exemptions are omitted.

Table 16: Outcome of requests for internal review

AGENCY	OUTCOME				
	Requests Received	Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
<b>Group: Boards, Committees, Commissions, Authorities, Corporations</b>					
Disability Services Commission	1	0	1	0	0
Fire and Emergency Services Authority of Western Australia	4	1	2	0	0
Forest Products Commission	2	0	0	1	0
Insurance Commission of Western Australia	1	0	0	0	0
Kimberley Development Commission	1	0	1	0	0
Landgate	1	1	0	0	0
Legal Practice Board of WA, The	3	2	1	0	0
Legal Profession Complaints Committee	1	1	0	0	0
Metropolitan Redevelopment Authority	1	1	0	0	0
Public Advocate, Office of the	3	1	2	0	0
Public Sector Commission	1	1	0	0	0
Public Transport Authority	4	4	0	0	0
Racing and Wagering Western Australia	1	0	1	0	0
Water Corporation	5	3	2	0	0
Western Power	1	1	0	0	0
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<b>32</b>	<b>16</b>	<b>10</b>	<b>1</b>	<b>0</b>
<b>Group: Departments (except Police and Health agencies)</b>					
Child Protection, Department for	7	5	2	0	0
Education, Department of	3	0	2	0	0
Finance, Department of	1	0	1	0	0
Housing, Department of	2	1	1	0	0

AGENCY	OUTCOME				
	Requests Received	Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Indigenous Affairs, Department of	7	5	4	1	0
Jobs, Tourism, Science and Innovation, Department of	2	2	0	0	0
Justice, Department of	8	4	3	0	0
Local Government, Sport and Cultural Industries, Department of	3	2	1	0	0
Main Roads Western Australia	5	4	1	0	0
Mines, Industry Regulation and Safety, Department of	22	9	11	0	2
Parks and Wildlife, Department of	3	2	0	1	0
Premier and Cabinet, Department of the	10	10	1	0	0
Regional Development, Department of	8	5	3	0	0
Transport, Department of	19	14	5	0	0
Treasury, Department of	3	3	0	0	0
Water and Environmental Regulation, Department of	5	2	3	0	0
<i>Sub-total: Departments (except Police and Health agencies)</i>	<b>108</b>	<b>68</b>	<b>38</b>	<b>2</b>	<b>2</b>
<b>Group: Health related agencies</b>					
C&AHS - Princess Margaret Hospital for Children	3	3	0	0	0
EMHS - Armadale Kalamunda Group	1	1	0	0	0
EMHS - Royal Perth Hospital	4	4	0	0	0
Health, Department of	7	6	1	0	0
Mental Health Commission	1	0	1	0	0
NMHS - Corporate Office	2	0	1	0	0
NMHS - Mental Health	4	3	1	0	0
NMHS - Sir Charles Gairdner Hospital	1	1	0	0	0
SMAHS - Fiona Stanley Hospital	1	1	0	0	0
SMHS - Fremantle Hospital and Health Service	1	1	0	0	0



AGENCY	OUTCOME				
	Requests Received	Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
WACHS - Central Office	1	0	1	0	0
WACHS - South West	1	1	0	0	0
WACHS - Wheatbelt	2	2	0	0	0
<i>Sub-total: Health related agencies</i>	<b>29</b>	<b>23</b>	<b>5</b>	<b>0</b>	<b>0</b>
<b>Group: Local government agencies</b>					
Albany, City of	1	1	0	0	0
Armadale, City of	2	1	1	0	0
Augusta-Margaret River, Shire of	1	0	1	0	0
Broome, Shire of	1	1	0	0	0
Busselton, Shire of	1	0	0	0	0
Cambridge, Town of	1	1	0	1	0
Cockburn, City of	1	0	0	0	0
Cottesloe, Town of	2	2	0	0	0
East Fremantle, Town of	0	1	0	0	0
Esperance, Shire of	1	1	0	0	0
Greater Geraldton, City of	2	1	1	0	0
Joondalup, City of	6	3	3	0	0
Kalamunda, Shire of	3	1	2	0	0
Kalgoorlie-Boulder, City of	1	1	0	0	0
Manjimup, Shire of	1	1	0	0	0
Melville, City of	14	9	4	1	0
Mundaring, Shire of	1	1	0	0	0
Nedlands, City of	2	2	0	0	0
Perth, City of	5	4	1	0	0

AGENCY	OUTCOME				
	Requests Received	Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Port Hedland, Town of	1	1	0	0	0
Rockingham, City of	2	1	1	0	0
Serpentine/Jarrahdale, Shire of	3	2	1	0	0
Shark Bay, Shire of	2	2	0	0	0
South Perth, City of	6	2	4	0	0
Stirling, City of	3	3	0	0	0
Swan, City of	4	1	3	0	0
Toodyay, Shire of	1	1	0	0	0
Victoria Park, Town of	3	3	0	0	0
Wanneroo, City of	1	1	0	0	0
York, Shire of	5	2	3	0	0
<i>Sub-total: Local government agencies</i>	<b>77</b>	<b>50</b>	<b>25</b>	<b>2</b>	<b>0</b>
<b>Group: Police</b>					
Police, Western Australia	45	23	13	6	1
<i>Sub-total: Police</i>	<b>45</b>	<b>23</b>	<b>13</b>	<b>6</b>	<b>1</b>
<b>Group: Universities</b>					
Curtin University of Technology	1	0	1	0	0
Edith Cowan University	3	2	1	0	0
Murdoch University	2	2	0	0	0
University of Western Australia, The	1	1	0	0	0
<i>Sub-total: Universities</i>	<b>7</b>	<b>5</b>	<b>2</b>	<b>0</b>	<b>0</b>
<b>Total</b>	<b>296</b>	<b>185</b>	<b>93</b>	<b>11</b>	<b>3</b>

**Table 17: Requests for amendment of personal information**

AGENCY	Applications	Amended	Not Amended	Amended (not as requested)	Withdrawn
Child Protection, Department for	3	0	3	0	0
EMHS - Armadale Kalamunda Group	9	1	7	1	0
EMHS - Bentley Health Service	1	0	1	0	0
Legal Practice Board of WA, The	1	0	1	0	0
Murdoch University	1	0	1	0	0
NMHS - Sir Charles Gairdner Hospital	4	3	1	0	0
Perth, City of	1	0	1	0	0
Police, Western Australia	1	0	0	1	0
Public Advocate, Office of the	1	1	1	1	0
SMHS - Rockingham Peel Group	4	2	1	1	0
<b>Total</b>	<b>26</b>	<b>7</b>	<b>17</b>	<b>4</b>	<b>0</b>

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

**Table 18: Internal review re: amendment of personal information**

AGENCY	Applications	Confirmed	Varied	Reversed	Withdrawn
EMHS - Armadale Kalamunda Group	1	1	0	0	0
Public Advocate, Office of the	1	0	1	0	0
Augusta-Margaret River, Shire of	0	0	1	0	0
NMHS - Sir Charles Gairdner Hospital	1	1	0	0	0
Child Protection, Department for	1	1	0	0	0
Perth, City of	1	1	0	0	0
<b>Total</b>	<b>5</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>0</b>

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

**Table 19: Fees and charges calculated by agencies**

AGENCY	Application Fees Collected (\$)	AMOUNT OF CHARGES	
		Collected (\$)	Reduced or Waived (\$)
<b>Group: Boards, Committees, Commissions, Authorities, Corporations</b>			
Acacia Prison	180	0	0
Botanic Gardens and Parks Authority	1	30	0
Bunbury Water Board (Aqwest)	30	0	0
Commissioner for Children and Young People, Office of the Disability Services Commission	30	30	0
Electoral Commission, Western Australian	240	0	0
Fire and Emergency Services Authority of Western Australia	30	0	0
Forest Products Commission	5,550	436	2,937
Fremantle Ports	120	0	0
Government Employees Superannuation Board	30	0	0
Horizon Power	30	30	0
Insurance Commission of Western Australia	60	0	0
Kimberley Development Commission	60	0	0
Land Authority (LandCorp), Western Australian	60	0	0
Landgate	270	0	0
Legal Practice Board of WA, The	120	0	0
Legal Profession Complaints Committee	90	0	0
Lotteries Commission	60	0	0
Metropolitan Cemeteries Board	30	0	0
Metropolitan Redevelopment Authority	360	1,620	0
Port Hedland Port Authority	90	0	0
Public Sector Commission	360	0	0
Public Transport Authority	810	0	0
Racing and Wagering Western Australia	120	0	0
Rottneest Island Authority	90	0	0
South West Development Commission	180	0	0

AGENCY	Application Fees Collected (\$)	AMOUNT OF CHARGES	
		Collected (\$)	Reduced or Waived (\$)
Sports Centre Trust (VenuesWest), Western Australian	90	0	0
State Administrative Tribunal	30	30	0
Synergy	30	30	0
Water Corporation	1,050	0	60
Western Power	900	1,305	0
WorkCover Western Australia Authority (WorkCover WA)	2190	0	0
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<b>15,211</b>	<b>3,511</b>	<b>2997</b>
<b>Group: Departments (except Police and Health agencies)</b>			
Central Regional TAFE	0	300	30
Child Protection, Department for	2,850	0	0
Education, Department of	990		
Finance, Department of	690	0	0
Housing, Department of	420	2,580	0
Indigenous Affairs, Department of	5,137	0	60
Jobs, Tourism, Science and Innovation, Department of	510	0	0
Justice, Department of	2,070	0	0
Local Government, Sport and Cultural Industries, Department of	750	0	0
Main Roads Western Australia	1,650	0	60
Mines, Industry Regulation and Safety, Department of	24,180	15,004	7,472
North Metropolitan TAFE	280	280	0
Parks and Wildlife, Department of	570	0	0
Premier and Cabinet, Department of the	1,830	0	0
Regional Development, Department of	1,320	0	1
South Regional TAFE	0	90	0
Training and Workforce Development, Department of	90	0	0
Transport, Department of	4,950	0	0
Treasury, Department of	390	0	0

AGENCY	Application Fees Collected (\$)	AMOUNT OF CHARGES	
		Collected (\$)	Reduced or Waived (\$)
Water and Environmental Regulation, Department of	7,350	7,350	0
<i>Sub-total: Departments (except Police and Health agencies)</i>	<b>56,027</b>	<b>25,604</b>	<b>7,623</b>
<b>Group: Health related agencies</b>			
C&AHS - Princess Margaret Hospital for Children	210	0	0
EMHS - Armadale Kalamunda Group	1,470	410	0
EMHS - Bentley Health Service	510	510	0
EMHS - Corporate Office	90	0	0
EMHS - Royal Perth Hospital	10,590	0	0
Health, Department of	52	540	0
Mental Health Commission	0	0	60
NMAHS - Sir Charles Gairdner Hospital Mental Health Unit	60	60	0
NMHS - Corporate Office	210	210	0
NMHS - Mental Health	450	0	0
NMHS - Sir Charles Gairdner Hospital	4,890	0	0
NMHS - Women and Newborn Health Service	90	0	0
SMAHS - Fiona Stanley Hospital	8,070	8,070	0
SMHS - Corporate Office	90	0	0
SMHS - Fremantle Hospital and Health Service	1,920	1,920	0
SMHS - Rockingham Peel Group	1,740	2,128	0
WACHS - Central Office	30	0	0
WACHS - Goldfields	300	264	0
WACHS - Great Southern	120	120	0
WACHS - Kimberley	900	507	2,580
WACHS - Midwest	270	0	0
WACHS - Pilbara	1,197	1,154	0
WACHS - South West	2,370	0	0

AGENCY	Application Fees Collected (\$)	AMOUNT OF CHARGES	
		Collected (\$)	Reduced or Waived (\$)
WACHS - Wheatbelt	30	0	0
<i>Sub-total: Health related agencies</i>	<b>37,167</b>	<b>15,893</b>	<b>2,640</b>
<b>Group: Local government agencies</b>			
Albany, City of	360	0	30
Armadale, City of	360	210	12
Augusta-Margaret River, Shire of	330	0	0
Bassendean, Town of	30	92	0
Bayswater, City of	780	0	0
Belmont, City of	180	420	0
Bridgetown-Greenbushes, Shire of	60	0	0
Brookton, Shire of	30	0	0
Broome, Shire of	90	60	30
Bunbury, City of	300	0	0
Busselton, Shire of	360	468	75
Cambridge, Town of	360	382	0
Canning, City of	570	0	3
Capel, Shire of	120	120	0
Carnarvon, Shire of	90	90	0
Chittering, Shire of	300	1,389	0
Cockburn, City of	900	0	0
Collie, Shire of	60	90	145
Cottesloe, Town of	330	20	2,220
Cue, Shire of	60	0	0
Dardanup, Shire of	60	136	0
Denmark, Shire of	90	30	0
Derby-West Kimberley, Shire of	60	60	0
Donnybrook-Balingup, Shire of	60	0	0
East Fremantle, Town of	30	0	
Esperance, Shire of	330	100	20



AGENCY	Application Fees Collected (\$)	AMOUNT OF CHARGES	
		Collected (\$)	Reduced or Waived (\$)
Fremantle, City of	690	0	553
Gingin, Shire of	180	750	0
Gosnells, City of	570	570	0
Greater Geraldton, City of	330	162	0
Harvey, Shire of	120	0	0
Joondalup, City of	1,680	65	22
Kalamunda, Shire of	990	360	0
Kalgoorlie-Boulder, City of	330	330	0
Karratha, City of	120	72	0
Katanning, Shire of	60	488	0
Kwinana, Town of	210	0	0
Mandurah, City of	120	0	0
Manjimup, Shire of	120	0	0
Melville, City of	1,470	115	0
Morawa, Shire of	30	0	0
Mosman Park, Town of	420	153	96
Mundaring, Shire of	480	0	0
Murray, Shire of	270	405	0
Narrogin, Town of	30	30	0
Nedlands, City of	180	330	0
Northam, Shire of	150	0	0
Peppermint Grove, Shire of	90	0	0
Perth, City of	1,320	4,415	333
Plantagenet, Shire of	30	0	0
Port Hedland, Town of	270	0	0
Rockingham, City of	420	851	46
Serpentine/Jarrahdale, Shire of	510	343	0
Shark Bay, Shire of	60	264	0

AGENCY	Application Fees Collected (\$)	AMOUNT OF CHARGES	
		Collected (\$)	Reduced or Waived (\$)
South Perth, City of	750	708	0
Stirling, City of	1,590	845	330
Subiaco, City of	240	0	0
Swan, City of	1,560	436	0
Toodyay, Shire of	120	52	27
Victoria Park, Town of	570	0	0
Vincent, City of	240	247	0
Wanneroo, City of	750	0	0
Waroon, Shire of	0	66	0
Wiluna, Shire of	30	30	0
York, Shire of	270	741	384
<i>Sub-total: Local government agencies)</i>	<b>23,670</b>	<b>16,495</b>	<b>4,326</b>
<b>Group: Ministers</b>			
Cook MLA, Hon R H	120	120	0
Dawson MLC, Hon S N	60	0	0
Ellery MLC, Hon S M	210	0	0
Johnston MLA, Hon W J	210	0	0
Kelly MLA, Hon D J	90	0	0
Logan MLA, Hon F M	240	0	0
MacTiernan MLC, Hon A	330	0	0
Murray MLA, Hon M P	90	0	0
Papalia MLA, Hon P	90	90	0
Quigley MLA, Hon J R	90	0	0
Roberts MLA, Hon M H	240	0	0
Saffioti MLA, Hon R	570	0	0
Templeman MLA, Hon D A	150	150	0
Wyatt MLA, Hon B S	390	0	0
<i>Sub-total: Ministers</i>	<b>2,880</b>	<b>360</b>	<b>0</b>

AGENCY	Application Fees Collected (\$)	AMOUNT OF CHARGES	
		Collected (\$)	Reduced or Waived (\$)
<b>Group: Police</b>			
Police, Western Australia	59,490	4,298	0
<i>Sub-total: Police</i>	<b>59,490</b>	<b>4,298</b>	<b>0</b>
<b>Group: Universities</b>			
Curtin University of Technology	90	0	0
Edith Cowan University	90	0	0
Murdoch University	210	0	0
University of Western Australia, The	60	0	0
<i>Sub-total: Universities</i>	<b>450</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>\$194,895</b>	<b>\$66,161</b>	<b>\$17,586</b>

**Table 20: Reasons for reduction of charges**

REASONS FOR REDUCTION	No.	%
Impecunious	25	9.16
Pensioner	11	4.03
Other	237	86.81
<b>Total</b>	<b>273</b>	<b>100.00</b>