



**Office of the  
Information Commissioner**

*Freedom of information for Western Australia*

# Annual Report 2023/24



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

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



18 September 2024

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

#### **ANNUAL REPORT TO 30 JUNE 2024**

In accordance with section 63 of the *Financial Management Act 2006* I hereby submit my report for the reporting period ended 30 June 2024.

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

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

Catherine Fletcher  
INFORMATION COMMISSIONER

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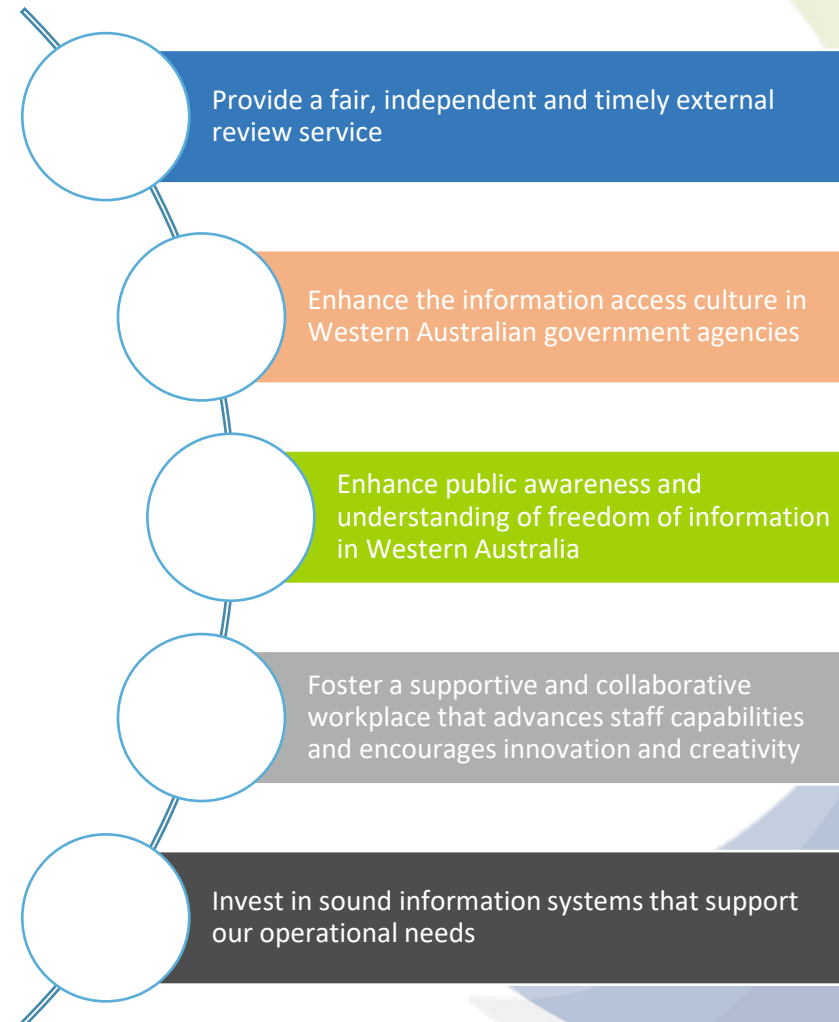
# About this report

Welcome to the annual report of the Office of the Information Commissioner (**the OIC**) for 2023/24.

The aim of this report is to provide a comprehensive overview of our performance during the reporting year, provide insight into the goals and operations of the OIC, and the operation of the *Freedom of Information Act 1992 (WA)* (**the FOI Act**) in Western Australia. The services we deliver are designed to provide an outcome that gives the people of Western Australia (**WA**) 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. We also educate agencies on their responsibilities under freedom of information (**FOI**) legislation and provide assistance to the community to help them understand their rights under FOI legislation.

The objects of the FOI Act align with the intention of agency annual reports – greater accountability and transparency. We trust that this report on our activities and performance during the last reporting year provides valuable insight into our operations and outcomes and the operation of the FOI Act in WA.

## Strategic goals



## Overview

### What is Freedom of Information?

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

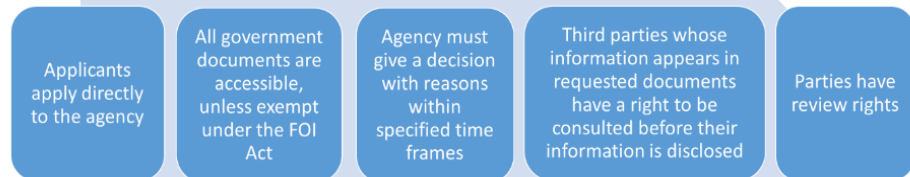
The stated objects of the FOI Act are to enable the public to participate more effectively in governing the State and to make the persons and bodies that are responsible for State and local government more accountable to the public. The FOI Act achieves this primarily by creating a general right of access 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 for the public.

In the absence of State privacy legislation in WA, the FOI Act also provides a limited mechanism for the protection of government-held personal information from disclosure under the FOI Act and a means for individuals to ensure their 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)* (the **FOI Regulations**).

### How does it work?

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

### The FOI process – quick overview





## *Role of the Information Commissioner*

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

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

The FOI Act also requires the Commissioner to recommend legislative or administrative changes that could be made to help the objects of the FOI Act be achieved. In addition to functions under the FOI Act, the Commissioner is also an ongoing ex-officio member of the State Records Commission pursuant to the *State Records Act 2000*. The Commissioner is currently the Chair of the State Records Commission, having commenced this role in August 2023.

The Commissioner is supported by staff in the OIC

## Information Commissioner's Report



I am pleased to present the annual report of my office for the 2023/24 reporting period. It is the 31st annual report of this office and my sixth report as Commissioner.

The past 12 months have been the busiest and most memorable for me to date during my time as Commissioner.

Highlights include my office receiving finite government funding in the 2023/24 budget for much needed additional staff. Funding from the Digital Capability Fund has also allowed us to begin a long-overdue ICT upgrade program, which includes replacing legacy systems that will enhance our work environment and productivity. The additional external review and other staff are shown in the new OIC structure (see page 9 of this report), which was effective from 1 July 2023. This new structure arises from recommendations from an organisational review of my office conducted by external consultants in 2022. The new structure has improved the way my office operates and is compatible with the addition of proposed new functions in the future.

Other highlights include: the celebrations related to the 30-year anniversary of the appointment of the first Information Commissioner and commencement of the access provisions under the FOI Act; the highly successful FOI in WA Conference and hosting of the bi-annual meeting of the

Association of Information Access Commissioners; the long-awaited introduction of the *Privacy and Responsible Information Sharing* legislative reforms (the PRIS legislation) into the WA Parliament; the publication of Monash University's *Report on the Culture of Freedom of Information in Australia*; and the provision to the Attorney General of draft terms of reference for a review of the FOI Act.

### FOI in the sector

Across the public sector, there has been a modest increase of about 3.6% in the number of access applications made to agencies, with a total of 22,227 applications. While the growth in applications may be attributed to a similar rate of growth in the State's population, I consider it likely reflects a growing expectation and appreciation in the community of the right to access government-held documents. This is evidenced by the most recent results of the [Information Access Community Attitudes Survey](#), undertaken over several years with data collected from across Australia. Generally, agency decisions on access applications show high rates of full or edited access to documents and decisions made within statutory timeframes.

### Operations of my office

Timeliness of external review remains an ongoing challenge for my office, primarily due to a considerable backlog of external review matters and resourcing issues. Although only 1% of access decisions made by agencies result in an application for external review, I recognise that delays in the

external review process can result in a denial of, or delay in, justice for access applicants. Pleasingly, in the last year, additional temporary resourcing received by my office, organisational changes and some changes in our external review processes, are assisting to reduce the backlog of external reviews. Improving the timeliness of external review remains a key focus of my office.

As noted in previous reports, the FOI Act remains largely unchanged from its enactment over 30 years ago. I take seriously issues and concerns raised with my office about the operation of the FOI Act and the operation of my office. Over the last 12 months, I have heard the issues and concerns expressed by stakeholders such as the Law Society of WA, local government bodies, the academic community, members of Parliament through Parliamentary Questions, and in the reports of bodies and committees examining issues involving access to government information. I consider carefully the recommendations I make to the Attorney General (as the Minister responsible for the administration of the FOI Act) and to the Parliament regarding the need for any legislative amendments or administrative amendments or reforms that might better assist to achieve the objects of the FOI Act. The draft terms of reference for a review of the FOI Act, which I have recently provided to the Attorney General, were carefully crafted over almost a year, after considering past reviews into information access laws in other jurisdictions, other relevant research and reports, and the long-standing experience of my office with the operation of the FOI Act. I look forward to the Government's response.

My office continues to encourage agencies to create appropriate *Open by Design* policies and processes to facilitate effective information release beyond the formal access procedures outlined in the FOI Act. An *Open by Design* approach to information disclosure makes a significant contribution to government transparency and accountability.

The FOI Act's objects align closely with some of the principles of Open Government Partnership (**the OGP**), a multilateral initiative that aims to secure commitments from governments to promote transparency, empower citizens, fight corruption and harness new technologies to strengthen governance, of which Australia is a member. During the year, I was pleased to accept an invitation from the Commonwealth Attorney-General's Department to become a member of Australia's Open Government Forum that supports the OGP.

#### Supporting sound record keeping

As Information Commissioner, I am an ex-officio member of the State Records Commission, together with the Auditor General, WA Ombudsman and the Governor's appointee (an archives/record-keeping expert). I am also the current Chair of the Commission. My role on the Commission reinforces my view of the importance of effective record keeping across the public sector. Record keeping is a cornerstone of information access and is paramount for government accountability and transparency.

## Looking to the future

The PRIS legislation is currently before the WA Parliament. Ensuring that the community has appropriate legislative privacy protections for the personal information held by State and local government agencies, with the ability to make complaints to an independent regulator, will be a significant milestone for this State. The PRIS legislation proposes the creation of new offices of Information Commissioner, Deputy Information Access Commissioner and Deputy Privacy Commissioner, who will have privacy and information access (FOI) functions. In anticipation of the new structure, the OIC is working to ensure that our current processes and tools, including our Information Technology assets, are fit for purpose in a way that enables the new Commissioners to undertake their functions as efficiently and effectively as possible.

This year has been challenging for my staff as they have sought to address the external review backlog; provide independent feedback to the Government in relation to the proposed PRIS legislation; modernise our information technology framework and practices; respond to other relevant consultations; assist agencies and the public to understand the opportunities and responsibilities of the FOI Act, in addition to other tasks and responsibilities. It has not been a year of business as usual. My office undertook its first survey of staff wellbeing to seek to ensure that workload pressure and increasing changes do not adversely affect my staff. The survey will provide important base-line data as we

move into another challenging year preparing for the enactment of the PRIS legislation.

I take this opportunity to thank my staff. Their dedication to providing high-quality outcomes and demonstrating service excellence is second to none.



### **Catherine Fletcher**

Information Commissioner

Office of the Information Commissioner (WA)

## 2023/24 Key Data



**156**

*External reviews  
received*



**134**

*External reviews  
finalised*



**88**

*External reviews  
resolved by  
conciliation*



**186**

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



**19**

*Published decisions of  
the Commissioner*



**1,722**

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



**634**

*Enquiries from the  
community answered*



**266**

*Enquiries from State  
and local government  
answered*

## About the Office of the Information Commissioner

As of 30 June 2024, the Commissioner was supported by 17 staff to meet the objectives of the FOI Act across two service areas: External Review and Legal Services, and Education, Engagement and Business Services. This is a revised and more robust structure from previous years, which was developed following recommendations made in an independent review – initiated by the OIC – to improve efficiency and effectiveness.

### *External Review and Legal Services*

The External Review and Legal Services team deal with external review applications and other various types of applications made to the Commissioner for determination under the FOI Act.

Additionally, support is provided to the Commissioner by way of advice and assistance on matters of law, jurisdiction and policy under freedom of information and other legislation; liaison with the Supreme Court in relation to appeals; legal guidance in respect of the risk, governance and compliance requirements of the OIC; and conducting research and providing counsel in response to public sector initiatives, policies or proposals that may impact the FOI Act or information access generally.

External Review and Legal Services was previously known as Resolution of Complaints (**External Review**).

### *Education, Engagement and Business Services*

The Education, Engagement and Business Services team provide FOI guidance and information to State and local government agencies and the community as required by the FOI Act; promote information access principles; communicate with other stakeholders on behalf of the Commissioner; and manage the information technology, governance, compliance and other corporate services that support the OIC.

Education, Engagement and Business Services was previously known as Advice and Awareness, and Corporate Services.

The OIC's new organisational structure is detailed below.

The activities of the External Review and Legal Services team and Education, Engagement and Business Services team are described further in this report under [Operational Performance](#).

The office does not share responsibilities with other agencies, except in relation to delivery of FOI services to the Indian Ocean Territories (IOT). Services provided by the OIC in the IOT are delivered in partnership with the Australian Government, through Commonwealth funding support.

## ***Leadership Team***

The OIC's Leadership team was formally established as part of the restructuring of the Office of the Information Commissioner, which came into effect on 1 July 2023.

### **Membership**

The Leadership team consists of the following staff:

- Information Commissioner;
- Director External Review and Legal Services;
- Director Education, Engagement and Business Services;
- Manager External Review;
- Manager Business Services;
- Senior Legal Officer; and
- Principal Investigations Officer.

### **Role**

The terms of reference for the Leadership team were finalised in June 2023.

The role of the team is to support the Information Commissioner with key strategic decisions that impact upon the functions, responsibilities and other activities of the Commissioner and OIC staff.

Issues considered during the year include staff development, strategic targets, staff survey, recruitment, office structure, risk management, finance, updating of office equipment, external review processes and the proposed Privacy and Responsible Information Sharing and legislation.

Meetings are held on a quarterly basis.

### ***Information Commissioner Memberships***

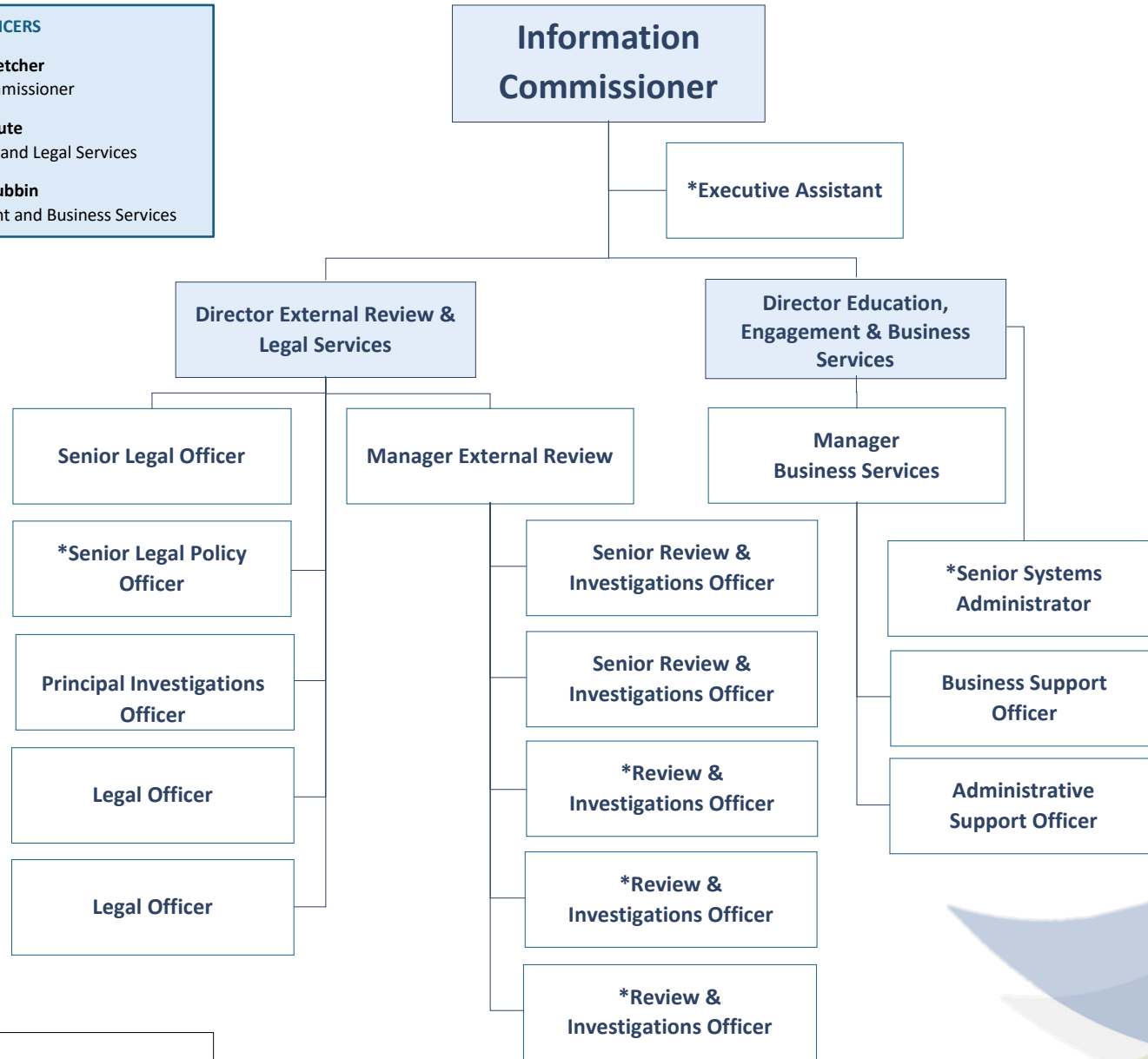
- Chairperson: State Records Commission;
- Member: Accountability Agencies Collaborative Forum; and
- Government Member: Open Government Forum.

**SENIOR OFFICERS**

**Catherine Fletcher**  
Information Commissioner

**Rachel Crute**  
Director External Review and Legal Services

**Alison McCubbin**  
Director Education Engagement and Business Services



**Key:**  
\* Not Permanently funded



### Performance management framework



1. Resolution of complaints (external review)

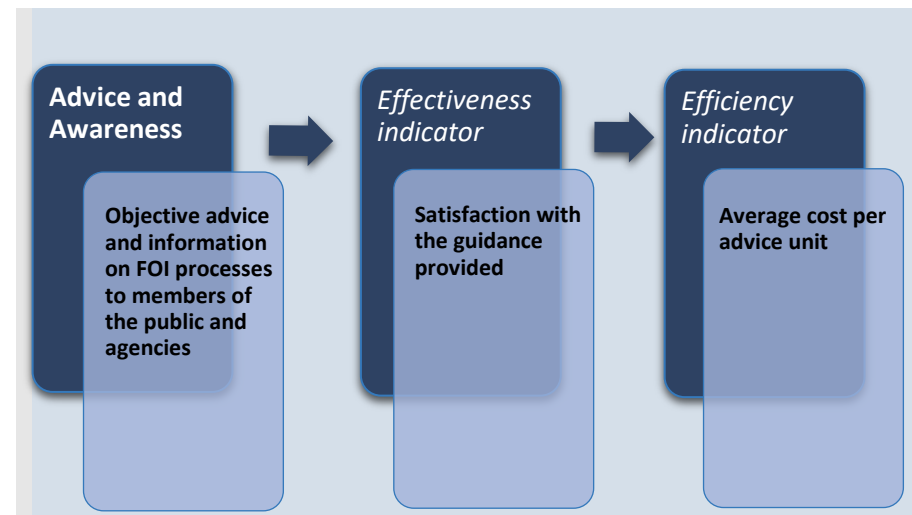
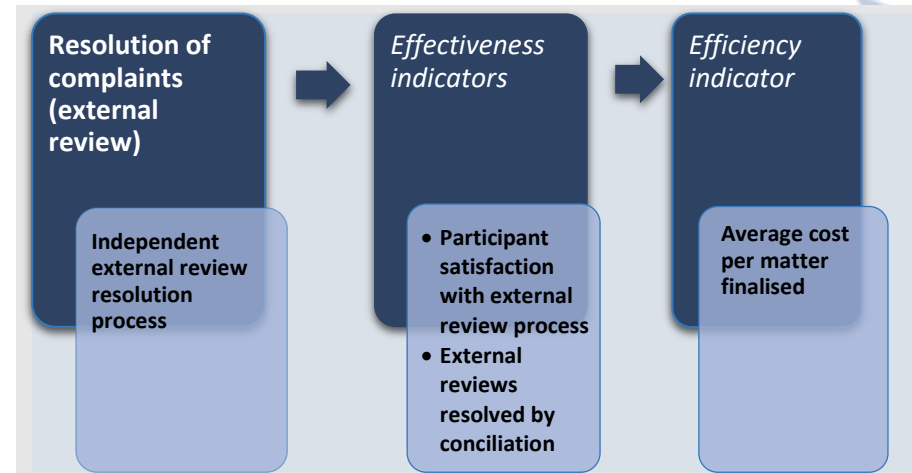
2. Advice and Awareness

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

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

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

### Outcome-based management framework



The Commissioner is an independent statutory officer who reports to the Parliament.

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

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

### ***Administered legislation***

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

### ***Other key legislation impacting on the OIC's activities***

- *Auditor General Act 2006*
- *Corruption Crime and Misconduct Act 2003*
- *Disability Services Act 1993*
- *Equal Opportunity Act 1984*
- *Financial Management Act 2006*
- *Industrial Relations Act 1979*
- *Minimum Conditions of Employment Act 1993*
- *Procurement Act 2020*
- *Public Interest Disclosure Act 2003*
- *Public Sector Management Act 1994*

- *Salaries and Allowances Act 1975*
- *State Records Act 2000*
- *Work Health and Safety Act 2020*

### ***Strategic Goals 2024 – 2025***

The OIC has developed a two-year strategic plan that seeks to give effect to the objects of, and functions outlined in, the FOI Act, together with preparing the office for potential functional changes that will occur if the *Privacy and Responsible Information Sharing Bill 2024* and the *Information Commissioner Bill 2024*, which are currently before the WA Parliament, are enacted. It is essential that the OIC's existing freedom of information functions operates effectively, particularly if they become part of a larger office that will have FOI and privacy functions.

The current strategic goals and objectives mirror many of the goals and objectives outlined in the OIC's 2020-2023 strategic plan because they remain relevant to the ongoing operations of the OIC over the next two years.

Considerable progress was made between 2020 and 2023 on operational initiatives identified for that period. Progress over the last 12 months in respect of the 2020-2023 strategic plan is outlined in the agency operational reports for each functional area.

The outstanding operational initiatives from the previous strategic plan will be pursued as part of the 2024-2025 Strategic Goals.

The five key strategic goals and their corresponding initiatives for 2024 and 2025 are listed below.

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

- Provide an efficient and effective early resolution process.
- Provide a fair, timely and effective formal external review process.
- Provide clear decisions, with reasons, to best inform the public.

**2. Enhance the information access culture in Western Australian government agencies.**

- Provide clear, accurate, relevant and timely advice to agency staff to enhance their understanding of their responsibilities under the FOI Act.
- Ensure our resources, tools and training services support information access competency within agencies.
- Identify and recommend changes to legislation and administrative practices that will facilitate improved information access practices across the State.
- Explore opportunities for collaboration to champion the principles of open government.

**3. Enhance public awareness and understanding of freedom of information in WA.**

- Ensure we provide the community with accessible, inclusive and user-friendly information.
- Increase community awareness of freedom of information rights.
- Promote community understanding about the role of the Information Commissioner.

**4. Foster a supportive and collaborative workplace that advances staff capabilities and encourages innovation and creativity.**

- Ensure that our organisational structure promotes open lines of communication.
- Value and acknowledge achievements.
- Explore flexibilities that enhance working arrangements and professional development.
- Cultivate a positive organisational culture that supports personal wellness.

**5. Invest in sound information systems that support our operational needs.**

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

## Operational Performance

### Snapshot of financial and operational performance indicators

	Target \$000	Actual \$000	Variation \$000
Total cost of services	3,225	3,217	(8)
Net cost of services	3,221	3,150	(71)
Total equity	1,834	1,628	206

Figure 1 – Reporting year financial performance

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

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

	Target <sup>(1)</sup>	Actual	Variation
<b>Resolution of Complaints</b>			
<i>Key effectiveness indicators:</i>			
Participants satisfied with complaint resolution and external review processes	85%	81%	(4%)
Applications for external review resolved by conciliation	70%	66%	(4%)
<i>Key efficiency indicator</i>			
Average cost per external review finalised	\$14,925	\$13,093	(\$1,832)
<b>Advice and Awareness</b>			
<i>Key effectiveness indicator</i>			
Agencies satisfied with advice and guidance provided	98%	96%	(2%)
<i>Key efficiency indicator</i>			
Average cost of service per application lodged	\$338	\$368	\$30

Figure 2 – Reporting year operational performance

<sup>(1)</sup> As specified in the Budget Statements.

## External Review & Legal Services

### *Strategic Goal 1: Provide a fair, independent and timely external review service*

#### *Provide a fair, timely and effective formal external review process*

- Streamlining the external review process
- Increased monitoring of progress and allocation of matters
- 5 conciliation conferences conducted
- 134 external reviews finalised
- 66% of external reviews finalised by conciliation
- 81% participant satisfaction rate

#### *Provide an efficient and effective early resolution process*

- Informal resolution processes, encouraged across the whole external review team
- 30.6% of external reviews resolved in less than six months (41 out of 134)

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

- 19 decisions published
- 25 preliminary views issued
- 45 officer assessments issued

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

The performance of this service is measured in two ways, by:

- i) the satisfaction of participants of an external review with the way in which the external review was conducted; and
- ii) the number of external review applications resolved by conciliation.

Detailed performance data on the number of external review applications received and completed, and the number and age of matters currently on hand, is updated monthly and published on our [website](#). Table 6 and Table 7 provide detail on external review outcomes.

## *Dealing with external reviews*

Undertaking external review of agency decisions is a key function of the OIC. The Commissioner has power to deal with an external review application in a number of ways, including by conciliation, negotiation and compulsory conferences. These are in addition to the power to resolve an external review by issuing a binding determination.

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

### Conciliation

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

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

Those options include discussions with the parties by telephone, by email or in person; an officer providing the parties with their assessment of the merits of the matter

and inviting either or both parties to reconsider their position; and formal conciliation conferences conducted by the OIC, attended by both parties. These options represent different methods of conciliation utilised by the OIC to facilitate conciliated outcomes and the informal resolution of matters without a formal determination by the Commissioner.

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

During the reporting period, five conciliation conferences were conducted, with all but one of those matters either resolved at the conference or resolved after the conference.

This year's conciliation rate was 66%, which is less than our yearly target of 70%. Of the 134 external reviews finalised in 2023/24, 88 were finalised by conciliation.

The annual conciliation rate of external reviews finalised is one of the OIC's key performance indicators. Full details of the OIC's performance indicators are outlined in the [Key Performance Indicators](#) section of this report.

### Conciliation case studies

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

**Agency reconsiders decision and gives edited access to documents** – documents relating to a recruitment process

The complainant applied to the agency for documents relating to a recruitment process. The agency gave the complainant full access to some documents within the scope of the access application and refused access to the remaining documents under clause 11(1)(c) of Schedule 1 to the FOI Act on the ground that their disclosure could reasonably be expected to have a substantial adverse effect on an agency's management or assessment of its personnel. The complainant applied to the Commissioner for external review of the decision.

In an effort to conciliate the matter, an officer of the OIC made inquiries with the agency regarding its decision. Consequently, the agency reconsidered its position and gave the complainant access to an edited copy of the documents, deleting some information on the basis it was personal information and exempt under clause 3(1) of Schedule 1 to the FOI Act.

The complainant accepted the edited access provided and discontinued their application for external review.

**Agency reconsiders decision and gives access to additional documents; complainant accepts Commissioner's preliminary view that remaining documents are exempt** – clauses 1(1) and 12(c)

The complainant applied to an agency for certain correspondence. The agency gave the complainant access to some documents within the scope of the access application and refused access to other documents under clause 1(1) on the ground that their disclosure would reveal the deliberations or decisions of an Executive body and clause 12(c), on the ground that their public disclosure would infringe the privileges of Parliament.

During the external review, the agency reconsidered its position and gave the complainant access to additional documents. The agency maintained its decision to refuse access to some documents under clause 12(c) and claimed the remaining documents were exempt under clause 1(1) and clause 1(1)(d)(ii), instead of under clause 12(c). After receiving the additional documents and being informed of the agency's revised position, the complainant advised that the matter was not resolved.

The Commissioner provided the parties with her preliminary view which was that documents were exempt under clauses 1(1) and 1(1)(d)(ii) and 12(c). The complainant did not proceed with the external review and the matter was resolved.

**Agency reconsiders decision and gives access to the requested document** – clause 1(1)

The complainant applied for access to a particular report. The agency refused access to the report, claiming that its disclosure would reveal the deliberations or decisions of an Executive body, and was therefore exempt under clause 1(1) of Schedule 1 to the FOI Act.

The Commissioner provided the parties with her preliminary view which was that the report was not exempt as claimed.

The agency gave the complainant an edited copy of the report which did not resolve the matter. The agency provided further submissions to the Commissioner, claiming that the remainder of the report was exempt under clause 1(1), as well as other exemption clauses.

After considering the agency's further submissions, the Commissioner informed the agency that she was not persuaded that the remainder of the report was exempt.

The agency subsequently gave the complainant access to the report in full. As a result, the matter was resolved.

**Matter resolved following agreement facilitated by an officer of the OIC** – large number of third parties

The complainant applied to an agency for access to documents relating to certain activities on specified dates. The scope of the application was limited to a particular topic.

The agency refused to deal with the access application under section 20 of the FOI Act because dealing with it would divert a substantial and unreasonable portion of the agency's resources away from its other operations. This was primarily because of the number of third parties the agency claimed it would be required to consult with, under section 32 of the FOI Act, before giving access to personal information contained in the requested documents.

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

After making preliminary inquiries and considering the material before the Commissioner, an officer of the OIC observed that one of the requested documents contained personal information about more than 100 individuals that did not relate to the topic that the application was limited to.

Following further inquiries by the officer, the complainant confirmed that they would accept access to an edited copy of the relevant document with this personal information deleted and the agency agreed to deal with the access application on this basis.

In light of the agreement reached, the external review was resolved.



**Agency agrees to give access to the requested document** – clause 1(1).

The complainant applied to the agency for access to several documents. Following concessions made by the complainant during the external review, only one document remained in dispute. The agency refused the complainant access to that document on the ground that its disclosure would reveal the deliberations of an Executive body and was therefore exempt under clause 1(1) of Schedule 1 to the FOI Act.

The Commissioner provided her preliminary view to the parties which was that the document was not exempt, as claimed, as the limit on the exemption in clause 1(2) applied. Clause 1(2) provides that matter that is merely factual, statistical, scientific or technical is not exempt under clause 1(1) unless its disclosure would reveal any deliberation or decision of an Executive body, and the fact of that deliberation has not been officially published. The agency did not accept the Commissioner's preliminary view and provided detailed further submissions.

However, following further inquiries by the OIC, the agency agreed to give the complainant access to the document in order to resolve the matter. As a result, the matter was resolved.

**Complainant accepts assessment that further documents cannot be found or do not exist** – section 26.

The complainant applied to the agency for access to documents. The agency gave access to documents, but refused access to other documents on the ground those documents could not be found or did not exist. The complainant did not accept that additional documents did not exist and provided evidence to support their claims.

As an officer of the OIC considered it was reasonable to believe that additional documents existed, the agency was asked to conduct further searches and to provide further information in support of its decision.

The agency's searches did not locate additional documents within the scope of the access application. The agency provided information about its processes which explained why additional documents did not exist. An officer of the OIC provided the complainant with that further information and their assessment of the matter. The complainant was satisfied with the further information provided and did not wish to pursue the matter further.

**External review discontinued following officer assessment** – application for personal information only

The complainant applied to the agency for access to all documents associated with their admission to hospital. The agency identified several documents within the scope of the complainant's access application and gave edited access to these documents. The agency deleted information that comprised personal information about other individuals from the disputed documents as it was outside the scope of the complainant's access application.

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

An officer of the OIC provided the complainant with their assessment that the application was made for personal information only and as such, the agency was entitled to delete that information from the documents to which it had given the complainant access.

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

**External review discontinued following Commissioner's preliminary view** – documents about a deceased relative

The complainant applied to the agency for documents associated with a deceased relative. The agency refused the complainant access under section 23(2) of the FOI Act on the ground that it was apparent from the nature of the documents that they would all be exempt under clause 3(1) of Schedule 1 to the FOI Act and that there was no obligation under section 24 to give access to an edited copy of any of the documents.

The complainant applied to the Commissioner for external review of the agency's decision. During the external review, it became apparent that the agency was actually refusing access to documents under section 26 of the FOI Act on the basis that documents could not be found or did not exist.

The OIC made inquiries with the agency regarding the nature of the searches undertaken and how the documents were recorded and archived. After considering the information provided by the agency, the Commissioner provided the complainant with her preliminary view that the agency's decision to refuse the complainant access to documents under section 26 was justified. The complainant was invited to provide further submissions if they did not accept the Commissioner's preliminary view.

The complainant did not provide further submissions, and the matter was resolved.

**Agreement reached at a conciliation conference – section 20**

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

The Commissioner required the parties to attend a conciliation conference.

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

**Negotiations between parties during external review – charges imposed**

The complainant sought access to documents held by the agency. The agency granted access to the requested documents and imposed charges for dealing with the access application, under section 16 of the FOI Act. The complainant sought internal review of the amount of the charges, which the agency reduced on internal review.

Remaining dissatisfied with the amount of the charges, the complainant sought external review.

As a result of negotiations between the agency and the complainant during the external review, the parties resolved the matter between them and the complainant discontinued the external review.

**Commissioner ensures agency is aware of responsibilities under FOI Act relating to record-keeping processes – CCTV footage**

The complainant applied to the agency for CCTV footage recorded on a specified date. The agency refused access to the requested documents on the basis that they could not be found or did not exist.

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

After considering the material before the Commissioner, an officer of the OIC advised the complainant that it was their assessment that all reasonable steps had been taken to find the footage and that it either could not be found or did not exist. The complainant accepted the assessment.

Before the matter was finalised, the OIC made inquiries with the agency to clarify whether the agency had an established process to follow when an access application for CCTV footage is received, including the timeframe in which it was required to notify the relevant section of the agency of receipt of the access application in order to protect the footage from destruction.

While it is not the Commissioner's role to examine in detail an agency's record-keeping practices, one of the Commissioner's functions under the FOI Act is to ensure that agencies are aware of their responsibilities under the FOI Act.

The agency acknowledged that there was a delay between the receipt of the complainant's application and the processing of the request to secure the CCTV footage.

As no process was in place, the agency undertook to implement a procedure to ensure that requests for CCTV footage were promptly processed and the footage secured.

The Commissioner was satisfied that the agency was taking steps to remedy what she considered a deficiency in the agency's record-keeping practices and considered the matter resolved.

### Decisions made by the Commissioner

Where applications for external review remain unresolved after efforts are made to conciliate the matter, the Commissioner may need to finalise an external review by issuing a binding final determination. Before doing so, the Commissioner may issue a written preliminary view to the parties involved in the external review.

The purpose of the preliminary view is to give the parties an opportunity to review the Commissioner's understanding of the matters in dispute; identify any factual errors; and provide new and relevant information or submissions for her final consideration.

While there is no legislative requirement to provide a preliminary view, the FOI Act does provide that the parties to an external review are to be given a reasonable opportunity to make submissions. The preliminary view is addressed in full to the party to whom the Commissioner's preliminary view is largely adverse, with a copy provided to the other parties. An abridged copy may be provided to a party to avoid the disclosure of potentially exempt matter.

Based on the preliminary view of the Commissioner, each party is provided the opportunity to reconsider their position, as applicable, and may withdraw or provide additional material in support of their position.

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

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

It is the usual practice to identify all of the parties to the external review in the published decision, except in certain circumstances. During the reporting period 19 applications for external review were finalised by formal published decision of the Commissioner. The decisions are published on our [website](#). The published decisions are briefly summarised below.

***Re Forrest & Forrest Pty Ltd and Department of Mines, Industry Regulation and Safety [2023] WAICmr 10 [PDF] or [HTML]***

**Complainant** – access applicant

**Documents requested** – document relating to the transfer of particular tenements between two parties.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1, Clause 4](#) – *Commercial or business information.*

**Commissioner's decision** – the Commissioner set aside the agency's decision and, in substitution, found that the disputed document is not exempt under clause 4(3) of [Schedule 1](#) to the FOI Act.

***Re McLerie and City of Melville [2023] WAICmr 11 [PDF] or [HTML]***

**Complainant** – access applicant

**Document/s requested** – documents relating to a property owned by other individuals.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1, Clause 14](#) – *Information protected by certain statutory provisions.*

**Commissioner's decision** – the A/Commissioner confirmed the agency's decision and found that the disputed documents were exempt under clause 14(1)(c) of [Schedule 1](#) to the FOI Act.

***Re Threadgold and City of Busselton [2023] WAICmr 12 [PDF] or [HTML]***

**Complainant** – access applicant

**Documents requested** – correspondence between the agency and two named individuals relating to a development application in respect of a property previously owned by the complainant.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1, Clause 3](#) – *Personal information.*

**Commissioner's decision** – the Commissioner confirmed the agency's decision and found that the disputed documents are exempt under clause 3(1) of [Schedule 1](#) to the FOI Act.

***Re Wren and WorkCover Western Australia Authority [2023] WAICmr 13 [PDF] or [HTML]***

**Complainant** – access applicant

**Document/s requested** – documents relating to an investigation conducted by the agency into allegations against an officer of the agency.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1, Clause 3](#) – *Personal information.*

**Commissioner's decision** – the Commissioner set aside the agency's decision and, in substitution, found that the disputed documents are exempt in full under clause 3(1) of [Schedule 1](#) to the FOI Act.

**[Re Rosser and Department of Mines, Industry Regulation and Safety \[2023\] WAICmr 14 \[PDF\] or \[HTML\]](#)**

**Complainant** – access applicant

**Documents requested** – an investigation report completed by the agency in relation to the death of a worker at a worksite.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1, Clause 3](#) – *Personal information*.

**Commissioner's decision** – the Commissioner confirmed the agency's decision and found that the disputed document was exempt under clause 3(1) of [Schedule 1](#) to the FOI Act.

**[Re Standen and Western Australia Police Force \[2023\] WAICmr 15 \[PDF\] or \[HTML\]](#)**

**Complainant** – access applicant

**Documents requested** – copies of certain maps provided by the agency to inform the media in relation to the location of registered firearms.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Section 6](#) (access rights); [Schedule 1, Clause 5](#) – *Law enforcement, public safety and property security*.

**Commissioner's decision** – the Commissioner varied the agency's decision and found that the disputed documents are exempt under clauses 5(1)(e) and 5(1)(f) of [Schedule 1](#) to the FOI Act.

**[Re Pandevski and Main Roads Western Australia \[2023\] WAICmr 16 \[PDF\] or \[HTML\]](#)**

**Complainant** – access applicant

**Documents requested** – documents associated with valuation advice relating to the agency's acquisition of certain land owned by named individuals.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1, Clause 3](#) – *Personal information*.

**Commissioner's decision** – The Commissioner varied the agency's decision and found that the disputed document was exempt under clause 3(1) of [Schedule 1](#) to the FOI Act.

**[Re WA Justice Association and Mental Health Commission \[2023\] WAICmr 17 \[PDF\] or \[HTML\]](#)**

**Complainant** – access applicant

**Documents requested** – reports relating to the evaluation of the Mental Health Court diversion program.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1, Clause 1](#) – *Cabinet and Executive Council*.

**Commissioner's decision** – the Commissioner confirmed the agency's decision and found that the disputed documents were exempt under clause 1(1)(b) of [Schedule 1](#) to the FOI Act.

***Re Alcoa of Australia Limited and Department of Biodiversity, Conservation and Attractions [2023] WAICmr 18 [PDF] or [HTML]***

**Complainant** – a third party

**Documents requested** – a document referred to in a proposal submitted to the Environmental Protection Authority by Alcoa of Australia Limited.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1](#), *Clause 4 – Commercial or business information*.

**Commissioner's decision** – The A/Commissioner confirmed the agency's decision and found that the disputed information was not exempt under clauses 4(2) or 4(3) of [Schedule 1](#) to the FOI Act.

***Re A and Local Government Standards Panel [2023] WAICmr 19 [PDF] or [HTML]***

**Complainant** – access applicant

**Documents requested** – a document provided to the agency in response to the complainant's complaint to the agency that a named local government councillor breached the *Local Government (Model Code of Conduct) Regulations 2021* (WA).

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1](#), *Clause 3 – Personal information*.

**Commissioner's decision** – the Commissioner confirmed the agency's decision and found that the disputed document is exempt under clause 3(1) of [Schedule 1](#) to the FOI Act.

***Re Grainier and Department of Water and Environmental Regulation [2024] WAICmr 1 [PDF] or [HTML]***

**Complainant** – access applicant

**Documents requested** – correspondence since January 2022 that mentions the complainant, his company, a particular property or prospecting license.

**Sections/clauses of the FOI Act considered by the Commissioner** – [section 20](#) – *refusal to deal with application*.

**Commissioner's decision** – the Commissioner confirmed the agency's decision and found the agency's decision to refuse to deal with the complainant's access application under [section 20](#) of the FOI Act was justified.

***Re Macnish and City of Busselton [2024] WAICmr 2 [PDF] or [HTML]***

**Complainant** – access applicant

**Documents requested** – documents relating to legal advice sought and received by the agency and the creation of a specific document, which the agency previously provided to the complainant.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1](#), *Clause 7 – Legal professional privilege* and *clause 5 – Law enforcement, public safety and property security*.

**Commissioner's decision** – the Commissioner confirmed the agency's decision and found that Documents 1 and 2 were exempt under clause 7(1) of [Schedule 1](#) to the FOI Act and Documents 3 and 4 were exempt under clause 5(1)(c) of [Schedule 1](#) to the FOI Act.

**[Re Carrington and Western Australia Police Force \[2024\] WAICmr 3 \[PDF\] or \[HTML\]](#)**

**Complainant** – access applicant

**Document/s requested** – access to CCTV footage that recorded a particular statement the complainant made to the agency at a police station in 2014.

**Sections/clauses of the FOI Act considered by the Commissioner** – [section 26](#) – *documents that cannot be found or do not exist.*

**Commissioner’s decision** – the Commissioner confirmed the agency’s decision and found that the agency’s decision to refuse the complainant access to the requested document under [section 26](#) of the FOI Act was justified.

**[Re Humphreys and Forest Products Commission \[2024\] WAICmr 4 \[PDF\] or \[HTML\]](#)**

**Complainant** – access applicant

**Document/s requested** – access to a particular audit report regarding historical payments by the agency to sharefarmers and certain other related documents.

**Sections/clauses of the FOI Act considered by the Commissioner** – [section 26](#) – *documents that cannot be found or do not exist.*

**Commissioner’s decision** – the Commissioner confirmed the agency’s decision and found that the agency’s decision to refuse the complainant access to the requested documents under [section 26](#) of the FOI Act was justified.

**[Re City of Melville Residents and Ratepayers Association Inc and Minister for Local Government \[2024\] WAICmr 5 \[PDF\] or \[HTML\]](#)**

**Complainant** – access applicant

**Document/s requested** – access to any records in relation to the City of Melville or records associated with any Member of Parliament or State agency in connection with the City of Melville.

**Sections/clauses of the FOI Act considered by the Commissioner** – [section 20](#) – *refusal to deal with application.*

**Commissioner’s decision** – the Commissioner confirmed the Minister’s decision to refuse to deal with the access application under [section 20](#) of the FOI Act.

**[Re Pearlman and University of Western Australia \[2024\] WAICmr 6 \[PDF\] or \[HTML\]](#)**

**Complainant** – access applicant

**Document/s requested** – documents between 1 January 2015 and 30 June 2016 related to communications or correspondence between a named individual employed by the agency (the third party) and certain other named individuals about matters related to an incorporated association for which the third party worked in a voluntary capacity.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1, Clause 3](#) – *Personal information.*

**Commissioner’s decision** – the Commissioner set aside the agency’s decision and, in substitution, found that the disputed documents are exempt under clause 3(1) of [Schedule 1](#) to the FOI Act.



**[Re Central Pilbara North Iron Ore Pty Ltd and Department of Jobs, Tourism, Science and Innovation \[2024\] WAICmr 7 \[PDF\] or \[HTML\]](#)**

**Complainant** – third party

**Document/s requested** – correspondence, since 2022, ‘from Central Pilbara North Iron Ore Pty Ltd/Hancock Prospecting Pty Ltd in relation to Renewal of Rights and Occupancy and Extension of Time Requests in relation to the Iron Ore (Wittenoom) Agreement Act 1972 (temporary reserve 5616H)’.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1, Clause 4](#) – Commercial and business information.

**Commissioner’s decision** – the A/Commissioner confirmed the agency’s decision and found that the disputed documents were not exempt under clause 4(3) of [Schedule 1](#) to the FOI Act.

**[Re G and City of Wanneroo \[2024\] WAICmr 8 \[PDF\] or \[HTML\]](#)**

**Complainant** – access applicant

**Document/s requested** – an investigation report prepared by an external investigator relating to allegations made against an officer of the agency by the complainant and other individuals.

**Sections/clauses of the FOI Act considered by the Commissioner** – [Schedule 1, Clause 3](#) – Personal information.

**Commissioner’s decision** – the Commissioner confirmed the agency’s decision and found that the disputed information is exempt under clause 3(1) of [Schedule 1](#) to the FOI Act.

**[Re City of Melville Residents and Ratepayers Association Inc and Department of Local Government, Sport and Cultural Industries \[2024\] WAICmr 9 \[PDF\] or \[HTML\]](#)**

**Complainant** – access applicant

**Document/s requested** – Part 1: All records associated with a particular meeting in September 2022 between the agency and the City of Melville; and Part 2: All records between the agency, the City of Melville, the Minister for Local Government and other State Government agencies.

**Sections/clauses of the FOI Act considered by the Commissioner** – [section 20](#) – refusal to deal with application and [section 26](#) – documents that cannot be found or do not exist.

**Commissioner’s decision** – the Commissioner confirmed the agency’s decision to refuse the complainant access to documents under [section 26](#) of the FOI Act. In addition, the Commissioner confirmed the agency’s decision to refuse to deal with Part 2 of the complainant’s access application under [section 20](#) of the FOI Act.

**[External review outcomes under section 67\(1\)\(b\) of the FOI Act](#)**

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

The Commissioner usually decides to stop dealing with an external review under section 67(1)(b) because it is lacking in substance.

The Commissioner may make a decision on this basis after further assessment of the matter, because of action taken by the parties that addresses the issue(s) in dispute, or in certain circumstances after issuing her preliminary view of a matter. Where the Commissioner informs the parties in her preliminary view that an agency's decision is justified and if the complainant does not provide any meaningful response by the specified date, the Commissioner may finalise the matter by deciding that, under section 67(1)(b), it is lacking in substance.

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

	External reviews finalised	Section 67(1)(b) outcomes	
		No.	%
2019/20	148	27	18.2
2020/21	180	45	25.0
2021/22	148	16	10.8
2022/23	139	14	10.1
2023/24	134	17	12.7

Figure 3 – External reviews finalised under section 67(1)(b) during the five-year period to 2023/24

### External review outcome benefits

When an external review is finalised by the OIC the outcome is recorded as one of four types of legislative outcome (see Table 6). The FOI Act outlines the basis on which an external review can be finalised as described below:

- By formal published decision under section 76(2) where the Commissioner formally determines any issues remaining in dispute and makes a decision that either confirms, varies or sets aside the agency's decision and makes a decision in substitution.
- By decision under section 67(1)(a) where the Commissioner decides to stop dealing with the matter because it does not relate to a matter the Commissioner has power to deal with.
- By decision under section 67(1)(b) where the Commissioner decides to stop dealing with the matter because it is frivolous, vexatious, misconceived or lacking in substance.
- By conciliation where the external review is finalised on the basis that there are no issues remaining in dispute that the Commissioner is required to determine.

Summary details of the external review process, which may include some outcomes achieved for the parties during the external review process, are described in published formal decisions and case studies of conciliated matters reported in annual reports.

However, those summaries do not necessarily describe the full extent of the benefits to a party, particularly the complainant, which are achieved during the external review process.

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

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

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

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

	2019/20		2020/21		2021/22		2022/23		2023/24	
	No.	%	No.	%	No.	%	No.	%	No.	%
<b>External Reviews finalised</b>	148		180		148		139		134	
<b>Additional documents or parts of documents released</b>	45	30.4	42	23.3	45	30.4	29	20.9	37	27.6
<b>Additional action taken by the agency</b>	53	35.8	61	33.9	50	33.8	43	30.9	36	26.9
<b>Reduction in scope</b>	8	5.4	15	8.3	10	6.8	5	3.6	6	4.5
<b>No additional benefit</b>	55	37.2	69	38.3	50	33.8	53	38.1	43	32.1

Figure 4 – Additional benefits for external reviews over the five-year period

### Timeliness of external review

The OIC has a considerable backlog of external review matters which reduces our ability to provide a timely external review process. This remains a significant challenge for the OIC and is a key focus of the office to address. At the end of the financial year, the OIC had 186 external review applications on hand and the average age of those external review applications was 375 days.

There are factors which impact timeliness that are outside our control. For example, the administrative law requirements of procedural fairness; the accessibility and cooperation of the parties; the number of disputed documents; the clarity and sufficiency of the agency's notice of decision; and the complexity of the facts in issue or the legal matters involved. In addition, an unprecedented increase in the number of external review applications received during the 2021-22 reporting year (195 matters) has had a lasting effect on the backlog over the following years.

During the reporting period, considerable movement of staff in the external review team, and the diversion of external review staff to other essential work - including providing the OIC's feedback to the Government during the PRIS legislation consultation process – has adversely affected the number of external review matters finalised and the overall timeliness of the external review process.

However, with additional new external review staff now recruited and trained, we are beginning to reduce the external review backlog, a trend we expect to continue. For example, new (temporary) external review officers recruited in the reporting period finalised almost 20% of all matters finalised in the period.

The positive impact of additional staff in reducing the backlog is expected to continue going forward.

Revised internal strategies to deal with and reduce the backlog (as referred to on page 16 of last year's report) have also been implemented. Almost half of the matters that were finalised in the reporting period (68 out of 134) were resolved without requiring a formal preliminary view from the Commissioner, which saved time and resources.

The use of officer assessment of matters has also reduced unnecessary steps and potential duplication in our processes. As stated in last year's annual report, where a party does not accept an officer's assessment, the matter is now referred to the Commissioner to consider finalisation of the matter by formal decision, rather than the Commissioner issuing a preliminary view, subject to compliance with procedural fairness obligations.

In the reporting period, 45 officer assessments were issued, with 23 of those matters resolved by a conciliated outcome without a formal decision from the Commissioner. Again, this has saved time and resources.

We continue to review our processes so efficiencies can be achieved without compromising the integrity of the external review process.

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

	Less than 6 months	Between 6 and 12 months	Greater than 12 months
2019/20	46.6%	34.5%	18.9%
2020/21	35.6%	38.3%	26.1%
2021/22	48.0%	33.8%	18.2%
2022/23	36.7%	26.6%	36.7%
2023/24	34.3%	20.9%	44.8%

Figure 5 – Percentage of external reviews finalised - by age in time periods

	Less than 6 months	Between 6 and 12 months	Greater than 12 months
2019/20	44.9%	35.6%	19.5%
2020/21	64.0%	23.0%	13.0%
2021/22	54.1%	28.1%	17.8%
2022/23	40.9%	25.0%	34.1%
2023/24	31.2%	29.0%	39.8%

Figure 6 – Percentage of external reviews on hand at end of reporting period - by age in time periods

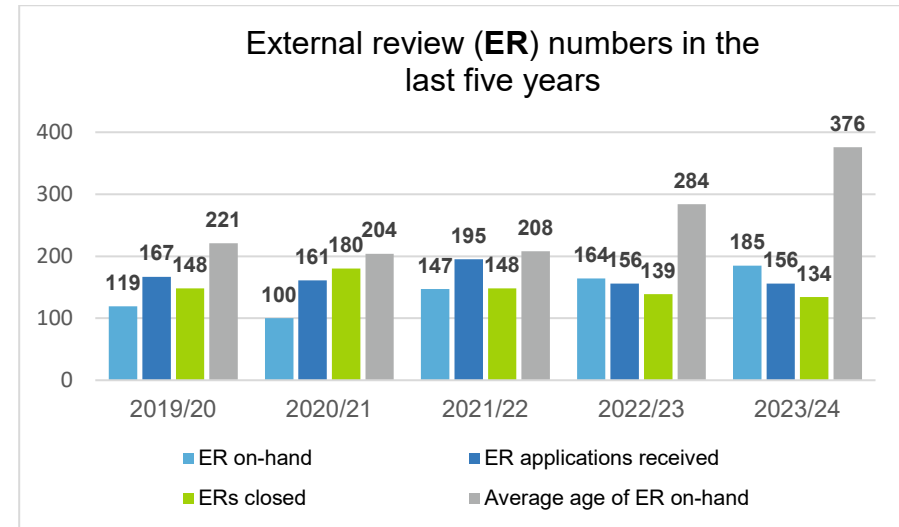


Figure 7 – External review numbers in the five-year period to 2023/24

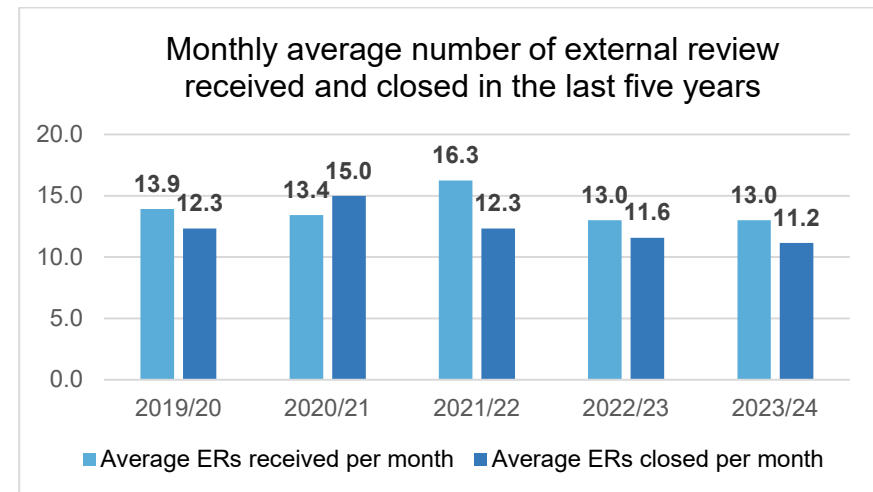


Figure 8 – Monthly average of external review applications received and closed during the five-year period to 2023/24

### *Other matters dealt with by external review staff*

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

Such matters include:

- applications for a reduction in time or an extension of time under sections 13(4), 13(5) and 13(7) of the FOI Act;
- applications made by agencies under section 35(1) of the FOI Act for approval to waive the requirement for third party consultation;
- applications for external review to be accepted out of time under section 66(4);
- applications for external review to be accepted without internal review under section 66(6); and
- requests for a destruction certificate under section 48(3) of the FOI Act.

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

For details of the number of these kinds of matters dealt with in the financial year see Table 1.

In addition, external review staff deal with:

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

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

## Advice and Awareness/Education and Engagement

### *Strategic Goal 2: Enhance the information access culture in WA government agencies*

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

- Responded to 266 phone and written enquiries from agencies
- 4 editions of the OIC newsletter published
- 380 subscribers to the OIC newsletter as at 30 June 2024
- FOI in WA Conference held, with 272 in person attendees and 29 online attendees

*Identify and recommend changes to legislation and administrative practices that will facilitate improved information access practices across the state.*

- Monash University report launched with recommendations to improve the culture of FOI administration in Australia, including recommendations for WA and for FOI legislative reform
- Draft terms of reference for review of the FOI Act provided to the Attorney General

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

- FOI fundamentals series available online to all agency staff
- FOI briefings and training provided (see Table 9)
- Engagement with the Agency FOI Reference Group

*Explore opportunities for collaboration to champion the principles of open government*

- Continue to provide web resources for agencies about the FOI process
- Participation in Association of Information Commissioner events, including events to promote International Access to Information Day
- Celebrated 30 years of FOI legislation in WA
- Commissioner invited to join the Commonwealth Attorney General's Open Government Forum

## Strategic Goal 3: Enhance public awareness and understanding of freedom of information in WA

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

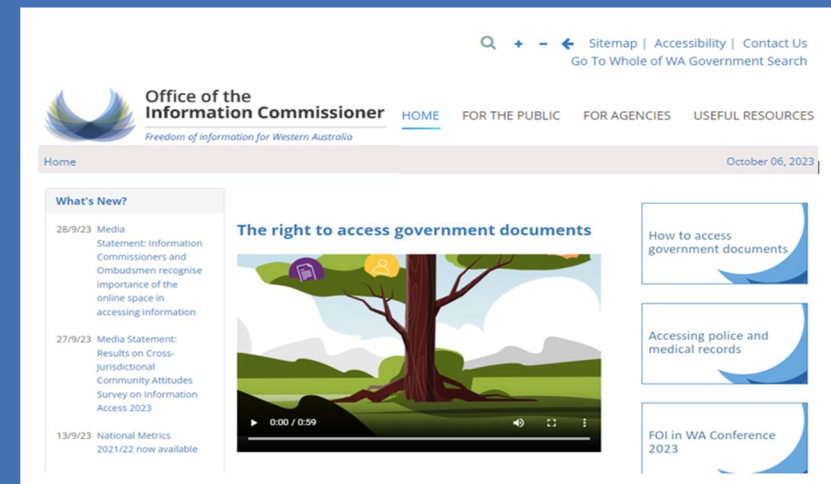
- Responded to 634 in person phone and written enquiries from members of the public
- Continued to make available plain English publications about FOI processes for the public on the OIC website

### Promote community understanding of the role of the Information Commissioner

- The Commissioner and OIC staff spoke at a number of general events to promote an understanding of the Commissioner's role and of the right of access to documents (see Table 9)

### Increased community awareness of:

- Freedom of Information rights
- Promoted International Access to Information Day
- Members of the public are able to subscribe to the OIC newsletter and notifications about newly published decisions of the Commissioner
- Published media statements about open government and the results of the cross jurisdictional study into information
- Promoted the launch of the Monash University report into the culture of FOI in Australia





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

### ***Training, briefings and the Commissioner's engagements***

The OIC provides training and briefings for agencies and their staff about processes and obligations under the FOI Act, and to ensure that agencies understand the opportunities to give effect to the objects of the FOI Act beyond formal access procedures. The Commissioner regularly accepts invitations to speak at forums and other events about the work of the OIC.

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

A list of the training, briefings and workshops provided by the OIC is available at Table 9.

### **FOI Training for FOI Coordinators and decision-makers**

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

The series consists of eight online modules, as set out below, and is aimed at State and local government officers dealing with FOI in their agency.

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

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

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

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

## FOI Wednesday Webinars

In March 2022, the OIC commenced a program of online FOI Wednesday Webinars for agency FOI practitioners. Primarily presented by OIC officers, the 50-minute seminars provide an efficient and time cost effective way to engage with FOI practitioners and reflect on various FOI topics relevant to officers working in the FOI and information access areas.

The webinars offered in this reporting period covered:

- Let the sunshine in – a discussion with Emeritus Professor Peter Coaldrake AO to mark International Access to Information Day – the Commissioner discussed with Professor Coaldrake his 2022 [report](#) that detailed a review of the Queensland integrity agencies and relevant learnings for WA.
- *Setting up FOI process for success* – a discussion of ways that agencies can set up their processes in order to assist people to access documents promptly and at the lowest reasonable cost in accordance with the requirements of the FOI Act.
- *Up Close and Personal: Considering personal information in three scenarios* – a consideration of the personal information exemption in clause 3(1) of Schedule 1 to the FOI Act, in three different scenarios.

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

A number of agencies have advised the OIC that they use the webinar recordings as an opportunity for staff development by watching the webinar as a team and having time for discussion within the team about how agency practice is reflected in the issues raised in the webinar.

## Briefings for community groups

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

## FOI Newsletter

The OIC published four newsletters during the reporting period in September 2023, December 2023, February 2024 and June 2024.

The newsletter provides an opportunity for the OIC to address current or recurring FOI and information access issues. While the information contained in the newsletter is primarily aimed at agency staff, it includes information that may be of interest to members of the public and the media.

At the end of the reporting period, the OIC had 380 subscribers to the OIC Newsletter. 48.7% of subscribers to the newsletter identify as being from WA State Government agencies; 25.8% from local government; and 9.2% as members of the public.

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

## Online resources

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

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

The OIC maintains a suite of online guides for agencies and members of the public. Agency guides assist agencies to meet their obligations under the FOI Act. Guides for members of the public provide guidance about making FOI access and amendment applications, and to understand the FOI process. While the guides are created with a particular audience in mind, they are accessible by all who access our website.

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

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

The OIC's publication – [Open by Design – FOI and Information Release in WA](#) is designed to assist and encourage agencies to create appropriate Open by Design policies and processes to facilitate effective information release beyond the formal access procedures outlined in the FOI Act.

A full list of OIC web publications is available at Table 10.

## Online decision search tool

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

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

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

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

Agency officers and members of the public can subscribe to receive notifications of newly published decisions of the Commissioner via our [website](#).

### *Responding to enquiries*

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

Members of the public sometimes misdirect their requests for documents held by particular agencies to the OIC. For example, each year the OIC receives a number of access applications for medical records.

People who misdirect their request are advised that, under the FOI Act, access applications should be made directly to the agency that holds the documents.

Requestors are given:

- contact information for the relevant agency;
- encouragement to contact the relevant agency to check whether a formal access application is required; and
- information about review rights if they are dissatisfied with an agency's decision under the FOI Act.

This year the OIC dealt with 900 written, phone and in-person requests for guidance, and misdirected requests. This is a 36.3% drop in requests compared with 1,413 requests received in the previous reporting period. The drop in requests for advice was due in large part to a 42.1% drop in the recorded number of telephone enquiries received.

### Enquiries and requests for advice to OIC from 2014/15 to 2023/24

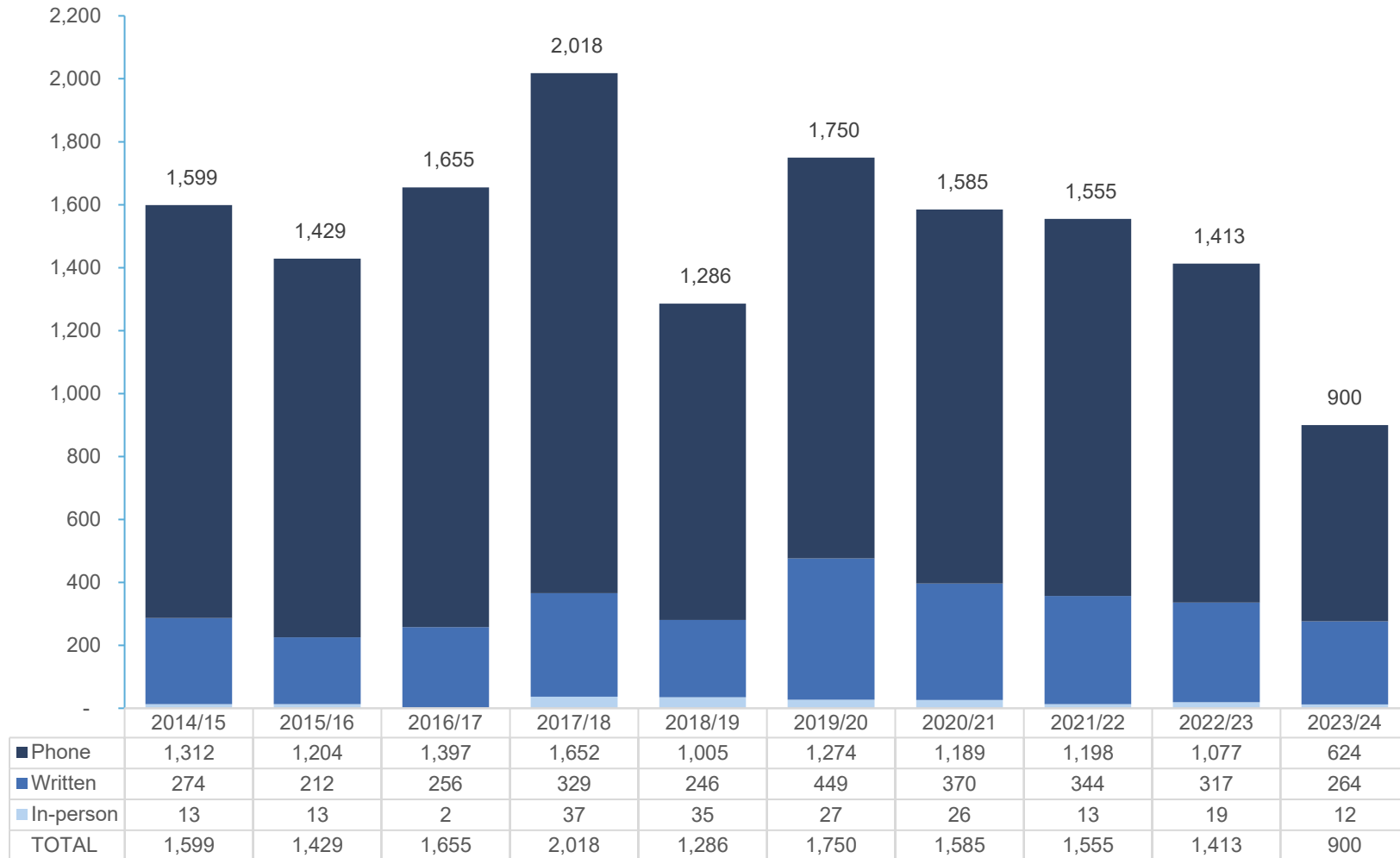


Figure 9 – Enquiries and requests for advice over the ten-year period to 2023/24

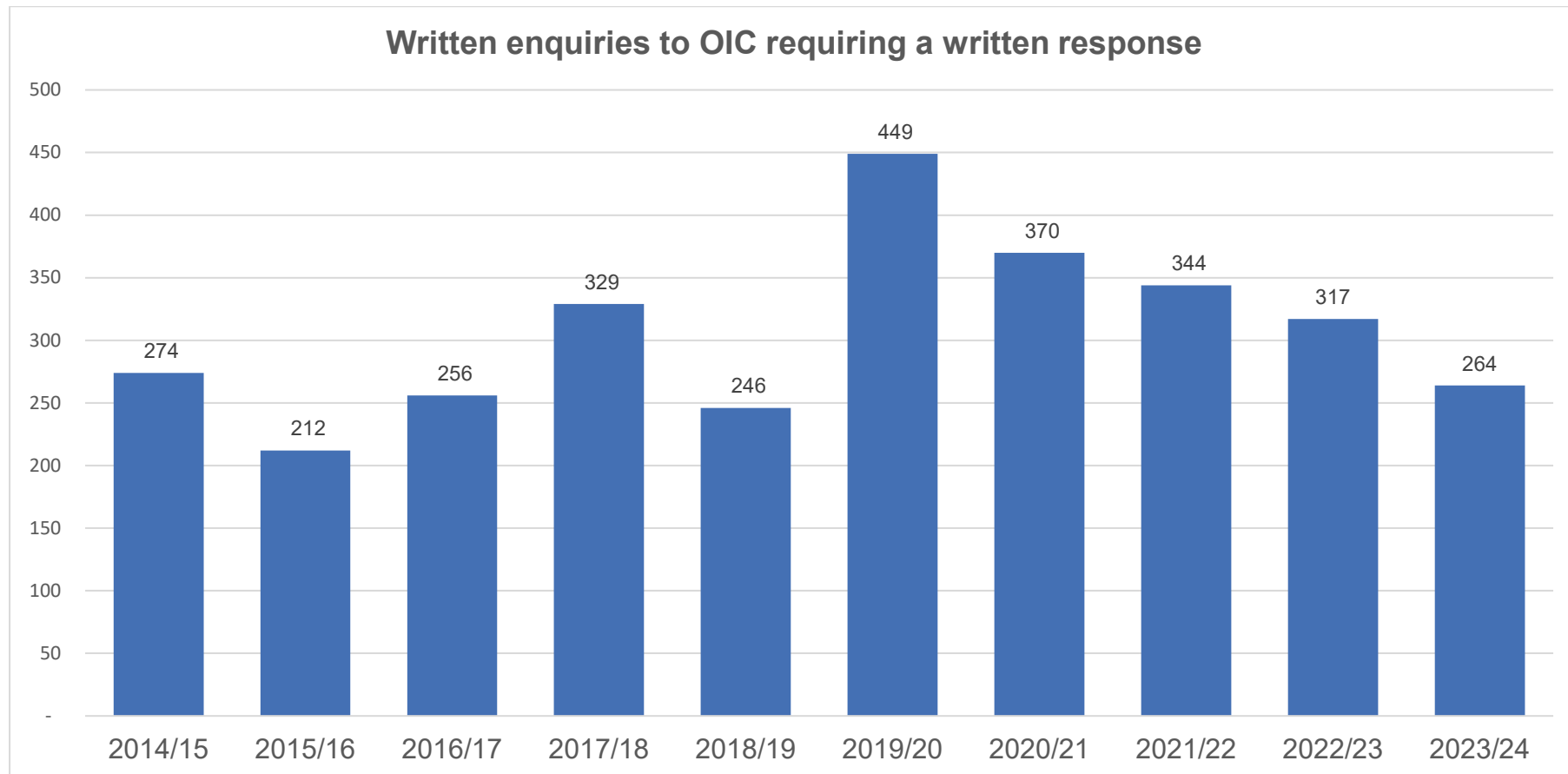


Figure 10 – Written enquiries to OIC requiring a written response over the ten-year period to 2023/24

Written requests for guidance are received from agencies and members of the public. Written responses assist enquirers to understand processes and obligations under the FOI Act. The OIC does not provide legal advice and does not provide specific rulings on particular issues or sets of facts when the matter is not before the Commissioner on external review. The resources outlined in this report provide information to support agencies and the community to understand their rights and obligations under the FOI Act.

### *Agency FOI Reference Group*

The Agency FOI Reference Group (**AFRG**) is made up of key staff of the OIC and FOI practitioners from 14 agencies that are representative of the different agency types in the sector. The AFRG is a forum to discuss FOI practice issues and to promote and advocate for good FOI practice in agencies. Meetings of the group provide an opportunity for the OIC to hear directly about current issues facing agencies relating to FOI. These discussions are an important contributing factor to the advice and awareness activities of the OIC.

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

Arising out of one of these meetings, the Commissioner also met with the local government FOI Network in July at the City of Perth Council Chambers.

### *Online FOI access application form*

The OIC is no longer hosting an online generic access application form on the WA.gov.au site.

The OIC determined that the process for allowing and receiving online FOI access applications made to WA government agencies is best managed and delivered by the individual agencies.

### *Regional Awareness and Accessibility Program*

The Regional Awareness and Accessibility Program (**RAAP**) involves officers from general oversight and complaints bodies attending regional areas together to provide outreach to regional areas.

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

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

The OIC did not participate in regional trips this reporting year due to other priorities. Outreach participation is expected to recommence in the new financial year.

### *FOI services to the Indian Ocean Territories*

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

The list of Financial Year [Service Agreement Annual Reports](#) are available on [Infrastructure.gov.au](#)

The OIC did not visit the IOT in the last reporting year but has plans to visit in the 2024-25 reporting period.

### *The FOI in WA Conference 2023*

The OIC presented its FOI in WA Conference for State and local government officers at the Perth Convention and Exhibition Centre on 2 November 2023. This was the third time the OIC has held an FOI in WA Conference, having also held conferences in 2017 and 2019. The 2023 conference theme was *FOI and Open Government in the Digital Age*.

A total of 301 people attended the conference - 272 in person, together with a further 29 attendees online. Over 100 agencies were represented at the conference. Ticket prices were kept to a minimum to encourage maximum participation from the public sector. A full day in person ticket was \$199.

A significant highlight of the conference was the keynote address by The Hon. Dr Carmen Lawrence AO, who spoke on *The Importance of Practising Open Government*. Dr Lawrence was the WA Premier at the time the FOI Act was enacted.

Other presenters included Information Commissioners and Ombudsmen from other information access jurisdictions in Australia and New Zealand, the WA Information Commissioner, academics, state and local government officers with expertise in FOI and records management and OIC officers.

A summary of The FOI in WA Conference program is shown on the following page.



FOI IN WA – FOI AND OPEN GOVERNMENT IN THE DIGITAL AGE*				
8:00	<b>REGISTRATION OPENS</b> + arrival tea and coffee outside <b>Meeting Rooms 1-3</b> . Doors open 8:30am.			
9:00	<b>OPENING REMARKS and WELCOME – Catherine Fletcher</b> , WA Information Commissioner ( <i>online and in-person</i> ) – <b>Meeting Rooms 1-3</b>			
9:20	<b>KEYNOTE PRESENTATION – The Importance of Practising Open Government – The Hon Dr Carmen Lawrence AO</b> , former WA Premier and Emeritus Professor, UWA ( <i>online and in-person</i> ) – <b>Meeting Rooms 1-3</b>			
9:55	<b>PANEL DISCUSSION – Being an Open Government in the Digital Age – a Cross-Jurisdictional Discussion (online and in-person) – Meeting Rooms 1-3</b> <ul style="list-style-type: none"> <li>• <b>Angelene Falk</b>, Australian Information and Privacy Commissioner, Office of the Australian Information Commissioner</li> <li>• <b>Elizabeth Tydd</b>, Information Commissioner and CEO, Information and Privacy Commission New South Wales</li> <li>• <b>Peter Boshier</b>, Chief Ombudsman, Ombudsman New Zealand</li> <li>• <b>Iain Anderson</b>, Commonwealth Ombudsman</li> </ul> <p><i>Moderated by Professor Robert Cunningham, Dean of Curtin University Law School</i></p>			
10:45	<b>MORNING TEA</b>			
	<b>Meeting Rooms 1-3 (in-person and online)</b>	<b>Meeting Room 7 (in-person only)</b>	<b>Meeting Room 8 (in-person only)</b>	<b>Online via Zoom only</b>
11:05	<b>PANEL DISCUSSION – Integrity, culture and accountability in the public sector - observations from the OAG and Qld A/Information Commissioner</b>	<i>Recent Privacy Developments in Australia</i>	<i>Setting up an access application and your agency's processes for success</i>	<i>30 years of FOI data – What does the data tell us? How can we use this data?</i>
11:55	<b>PANEL DISCUSSION – FOI Culture – Study by Monash University of FOI Culture in Victoria, South Australia and Western Australia</b>	<i>Case studies in open government – what worked and what were some of the road blocks?</i>	<i>Managing Unreasonable Applicant Behaviour in the FOI Context – Tips for responding confidently, firmly and fairly to challenging conduct</i>	<i>Up Close and Personal: Considering personal information in three scenarios</i>
12:35	<b>LUNCH</b>			
13:30	<b>PANEL DISCUSSION – AI, Open Government and FOI</b>	<i>30 years of FOI data – What does the data tell us? How can we use this data?</i>	<i>Scope and searches in the digital environment – tools for being effective</i>	<i>Managing Unreasonable Applicant Behaviour in the FOI Context – Tips for responding confidently, firmly and fairly to challenging conduct</i>
14:20	<b>PANEL DISCUSSION – Records in the Digital Age – The challenges and opportunities for FOI and Open Government</b>	<i>Access to information as a human right</i>	<i>Up Close and Personal: Considering personal information in three scenarios</i>	<i>Setting up an access application and your agency's processes for success</i>
15:00	<b>AFTERNOON TEA</b>			
15:15–16:00	<b>CLOSING SESSION – 30 Years of FOI – Where to Next? (Q&amp;A) – Catherine Fletcher</b> , Information Commissioner and OIC officers ( <i>online and in-person</i> ) – <b>Meeting Rooms 1-3</b>			

\*Note: We will endeavour to maintain this conference program but changes may be necessary due to unforeseen events.



**Office of the  
Information Commissioner**  
*Freedom of information for Western Australia*



Photograph 1 – OIC WA FOI Conference panel discussion with Information Commissioners and Ombudsmen from across Australia and New Zealand

The conference included plenary sessions and concurrent sessions that considered issues relating to practical issues for FOI practitioners, the digital information environment and the role of FOI in open government.

The conference was an important opportunity for FOI practitioners and other state and local government officers to increase their information access awareness and skills and to network with officers across the sector. 92% of respondents to the conference survey indicated that the conference either exceeded or met their expectations.

The OIC acknowledges the assistance provided by a number of officers from agencies that participated in the FOI.

Conference Working group, who were instrumental in helping to present the conference.

The FOI in WA conference banner and flyer is shown below.

**FOI in WA Conference 2023**  
FOI and Open Government in the Digital Age

**2 November 2023**  
Perth Convention and Exhibition Centre

A conference exploring the role and practicalities of FOI, its contribution to Open Government, and how it is impacted by the digital age.

**PLENARY AND CONCURRENT SESSIONS CONSIDERING:**

- PRACTICAL ISSUES FOR FOI PRACTITIONERS
- THE DIGITAL INFORMATION ENVIRONMENT
- FOI AND OPEN GOVERNMENT

**AN OPPORTUNITY TO NETWORK, INCREASE YOUR SKILLS AND BE INSPIRED**

**SPEAKERS**

- The Hon Dr Carmen Lawrence AO**  
Honorary Research Fellow and Professor Emerita, UWA
- Angelene Falk**  
Australian Information Commissioner & Privacy Commissioner
- Elizabeth Tydd**  
Information Commissioner and CEO, NSW
- Bridget Hewson**  
Deputy Ombudsman, Ombudsman NZ
- Stephanie Winson**  
Right to Information Commissioner, OIC Qld
- Associate Prof Julia Powles**  
UWA Tech and Policy Lab; UWA Law School

+ more to be announced

**REGISTRATION**  
[www.trybooking.com/CGQP](http://www.trybooking.com/CGQP)  
For more information [www.oic.wa.gov.au](http://www.oic.wa.gov.au)

Office of the Information Commissioner  
Celebrating 40 years of Freedom of Information in Western Australia - 1993 to 2023

## Business Services and Our Workplace

***Strategic Goal 4: Foster a supportive and collaborative workplace that advances staff capabilities and encourages innovation and creativity***

***Ensure that our organisational structure promotes open lines of communication***

- Five new appointments made following funds approved to increase staff resources
- Commencement of a new organisational structure
- Review of job descriptions

***Explore flexibilities that enhanced working arrangements and professional development***

- Remote working arrangements approved
- Increase to higher duties opportunities
- Supporting continuing professional development (CPD) requirements for legal staff
- Attendance to training, events and other development opportunities approved

***Cultivate a positive organisational culture that supports personal wellness***

- Employee engagement survey conducted to determine wellbeing and engagement levels

***Value and acknowledge achievements***

- Three staff celebrated for 30 years at the OIC

## ***Strategic Goal 5: Sound information systems that support our operational needs***

### ***Use technology to improve efficiency and accessibility to our services***

- Appointment of a Senior Systems Administrator to manage the OIC's ICT requirements
- Implementation of Microsoft 365

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

- Commencement of the project to procure, using the funds received through the Digital Capability Fund,
- a solution or solutions for the OIC's case management and electronic document and records management needs

## Organisational review

A long-standing initiative from the OIC's 2020-2023 strategic plan was to optimise the structure and work practices of the agency. The Commissioner recognised that the current organisational configuration (in place since 2004) was not fit for purpose, particularly given the increase in workload for staff across all functional areas of the OIC. Budgetary and accommodation constraints prevented permanent appointments to deal with work increases.

In 2022 the Commissioner initiated the Workforce Review project by engaging consultants to review the organisation. This is the first full assessment of this kind since the office opened in 1993. The key questions asked were:

1. Are the OIC's existing workforce structure and staffing levels suitable?
2. If not, how could the existing workforce structure and/or staffing levels be improved?
3. If changes are recommended, could these be made within current allocated resources?
4. If current allocated resources are not adequate for any proposed changes, what additional resources would be needed?

The recommendations from the review formed the basis of a proposed revised organisational structure that was developed during 2022/23, to come into effect from 1 July 2023.

The primary change to the structure was to update the flat two-tier design to a three-tier format with clear managerial responsibilities under two business units: External Review and Legal Services; and Education, Engagement and Business Services. The recommendations included increasing staff numbers and positions to better support the Commissioner's statutory functions under the FOI Act and the strategic goals of the OIC. Consideration was given to factors such as current workloads, recognition of additional duties, organisational risk, and the attraction and retention of staff.

To realise the recommendations from the Workforce Review, additional funding would be required. As part of the 2023/24 budget process, the OIC was awarded \$1.7 million to increase external review and corporate staff resources for two years, and permanently reclassify certain existing positions.

This additional funding allowed the OIC to realise this significant strategic initiative by updating the structure to a more robust and workable model and take on some additional staff for a two-year period. Ongoing funding allowed existing positions that had been identified as under classified to be appropriately classified and remunerated.

As reported last year, preliminary work began in that year to prepare for the changes, such as some new staff appointments; the creation of new positions; the review of existing job descriptions; preparation for new reporting relationships; and the creation of a leadership group. All new appointments were completed by 2 January 2024.

The fulfilment of the Workforce Review project achieved the completion of one of the OIC's key strategic initiatives and involved the dedication and support of all OIC staff over a two-year period. 2023/24 was a year of significant change, and the full year impact of the improvements is expected to become more fully realised in 2024/25.

### *Risk management*

During the year the OIC has used its Risk Management Framework (**the Framework**), which was completed in June 2023 to identify and assess key risks, with an initial focus on information technology and cybersecurity risks.

The Risk Management Steering Committee (**the RMSC**) met four times during the year. The RMSC's role is to review and monitor risk assessments, evaluate treatment action plans and provide feedback to the risk owners.

One of the aims of the Framework is to ensure that risk is incorporated into the operations of the OIC on an ongoing basis, which requires the participation of all staff. The RMSC arranged an introductory training session for all staff that provided a detailed overview of the Framework and how this document should be used.

The OIC will continue to identify key risks for assessment and inclusion on the risk register and will work to cultivate a risk aware culture within the agency.

### *Information technology*

#### Updating legacy systems

In last years' annual report, the OIC identified the need to update information technology infrastructure and software. The need for information technology reform was reflected in the 2020-2023 strategic plan and is carried over to the new strategic plan for 2024-2025, to invest in information technology systems that support our operational needs.

Two of the objectives under this goal include implementation of a case management system that meets our reporting needs and transition to an electronic records management system to better manage our record-keeping obligations.

Funding through the Digital Capability Fund was granted in 2023/24 to upgrade the OIC's case management system and to procure an electronic document and records management system (**the project**). There are two phases to the project: Phase 1 involves engagement of an experienced and qualified project team to assist the OIC manage Phase 2 of the project, being the procurement and implementation of the solutions.

Phase 1 – procurement of the project team – commenced in January 2024. The Department of Finance assisted with this procurement and the tender was advertised on TendersWA in March 2024. The project management team tender was awarded in July 2024.

In the coming year the OIC will be focussing on completing Phase 2 of the project by June 2025.

## Digital transformation

The employment of a Senior Systems Administrator has assisted the OIC to make considerable strides forward with Information Technology (IT) digital maturity. The OIC completed the following IT transformation projects in the reporting period:

- An Information Technology Infrastructure Library (ITIL) aligned service management tool to allow for logging of IT requests and issues, recording resolution and scheduling and monitoring IT maintenance processes.
- Establishment of a Microsoft 365 tenancy.
- Microsoft Teams utilised for improved officer collaboration.
- Transition to Teams telephony in response to the cessation of the WA government telephony enterprise agreement.
- Migration of email services to Exchange Online.
- OIC Windows Server upgraded.
- Considerable work done to improve OIC cybersecurity processes and awareness.
- IT disaster recovery plan established.

## *Workplace wellness and culture*

### Employee engagement survey

This has been a year of significant change. Staff have adapted to a new structure and been involved with strategic improvements in operations. There has also been the anticipation of potential changes to the structure of the OIC if the proposed PRIS legislation is passed. An employee engagement survey was disseminated to staff in May 2024 requesting feedback about various aspects of their experience and wellbeing in the OIC at a time of great change. The results of the survey will identify strengths and areas for improvement, providing valuable insights into the well-being and engagement levels of staff members.

In the coming year, evaluation of the survey results by the Leadership Group will inform the consideration of initiatives to improve staff engagement and well-being.

### Flexible working arrangements

The OIC recognises that flexibility in the workplace is part of the expectations of a modern workforce and the OIC supports staff being able to work flexibly when appropriate, either on an ongoing basis or as the need arises. It is a primary consideration in providing work/life balance for staff.

Flexibilities include varied start and finish times, which has proven successful in allowing staff to complement their work responsibilities with those outside of the workplace. Additionally, working remotely from the office is available to staff.

In the last reporting period, the OIC made efforts to ensure that staff could work remotely in an effective way by replacing desktop workstations with laptops and establishing a secure VPN. The introduction of Microsoft 365 during the current year continues to advance remote access for staff in a secure environment.

### Career development

Prior to 1 July 2024, there was limited capacity for career advancement within the organisation. It was recognised that this can pose a risk to job satisfaction and staff retention. However, this issue was considered as part of the workforce review outlined previously and the new structure has been designed to provide greater opportunities for staff.

Higher duties arrangements during the year were more common than in previous years due to the additional opportunities provided by the revised structure.

### Internships at OIC

The Commissioner also gave a lecture at the University of Western Australia (**UWA**) in September 2023 to students enrolled in a legal internship course, that dealt with the opportunities for legal work at accountability agencies, including the OIC.

During the year, two interns were engaged from the McCusker Centre for Citizenship internship program. The students were tasked with researching various reports for issues relating to government recordkeeping and summarise these in a report for the Commissioner.

This report will assist the Commissioner in performing her functions as both Information Commissioner and as Chair of the State Records Commission.

The students were supervised directly by the Commissioner in their work. Both students reported that their time with the OIC provided valuable experience in their education.

The McCusker internship program provides students the opportunity to contribute meaningfully towards a project in a community-minded organisation, supporting the vision of fostering caring, connected and socially engaged citizens who actively contribute to the wellbeing of their communities. The OIC is pleased to once again be partnered in this goal that benefits the OIC, the students and ultimately the community.

### Workplace health and safety

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

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

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



## *Internal Audit Committee*

The OIC's Internal Audit Committee was formed in 2021 and consists of two members of OIC staff and is chaired independently by a suitably qualified officer from an agency external to the OIC.

There was a change of Committee Chairperson in 2024 and a total of three meetings were held during the reporting period.



## Significant issues and events

### Agencies not dealing with requests within statutory timeframes – deemed refusals

The FOI Act requires that agencies deal with an access application as soon as practicable and, in any event, within the ‘permitted period’. The permitted period is 45 days after the application is received; such other period agreed upon between the agency and the applicant; or such other period as is allowed by the Commissioner.

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

Section 43(2) of the FOI Act provides that, if the agency fails to give an applicant written notice of its internal review decision within 15 days after the applicant applies for internal review, or such longer period as is agreed between the agency and the applicant, the agency is taken to have decided to confirm its deemed refusal of access.

In the 2022/23 reporting period, the number of matters that came to the Commissioner for external review without the agency having made either or both an initial decision or an internal review decision within the relevant statutory timeframe (**deemed refusals**) decreased by a small number compared to the 2021/22 reporting period, however remained largely the same as the percentage of valid applications received by the OIC. This year, both the number and percentage of deemed refusals have increased significantly, which is a concerning trend.

Year	Number of valid applications for External Review	Number of matters where either or both the initial decision or internal review decision had not been made	%
2021/2022	195	11	5.6%
2022/2023	156	9	5.8%
2023/2024	156	20	12.8%

Figure 11 – Number of external review applications based on a deemed refusal in the last three years

The OIC will continue to monitor this trend.

When a matter comes to the OIC for external review without a substantive decision having been made by the agency, it is the OIC's current usual practice to require the agency to complete the decision-making process and to give its decision to the complainant.

The OIC is then required to undertake additional preliminary inquiries to establish the scope of the issues in dispute that the Commissioner is required to deal with.

Any additional time required to be spent on external reviews when they are first received places a further burden on the already heavy workload of the OIC.

The OIC encourages agencies to attempt early and reasonable negotiations with an applicant for the purpose of clarifying and, if possible, reducing the scope of the access application, to assist agencies to deal with applications within the statutory timeframe and to reduce the work involved. In addition, agencies are encouraged to ask access applicants to agree to extend the time for the agency to deal with an access application where necessary. There will be occasions that some applicants will not agree. However, a reasonable extension of time when an agency is genuinely unable to deal with the application within the statutory timeframe is generally in everyone's interest.

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

## Section 23(2) – refusing access without identifying the documents

The OIC has observed an increase in the number of external reviews lodged against an agency's decision to refuse access to the requested documents under section 23(2) of the FOI Act.

Section 23(2) provides:

*The agency may refuse access to the requested documents without having identified any or all of them and without specifying the reason why matter in any particular document is claimed to be exempt matter if –*

- (a) It is apparent, from the nature of the documents as described in the access application, that all of the documents are exempt documents; and*
- (b) There is no obligation under section 24 to give access to an edited copy of the documents.*

This provision allows an agency to refuse access to documents without having identified any or all of them if the requirements in paragraphs (a) **and** (b) are met.

The Commissioner considers that the requirements of section 23(2)(a) will only be met if it is **apparent**, from the **nature of the documents** as described in the access application, that **all** of the requested documents are **unconditionally exempt**.

As a result, when considering whether the requested documents are all exempt, an agency must consider any limits on the exemption claimed, including whether disclosure would, on balance, be in the public interest, where applicable.

In most section 23(2) matters that come before the Commissioner on external review, the agency claims that the requested documents would all be exempt under **clause 3(1)**. Clause 3(1) provides that information is exempt if its disclosure would reveal personal information about an individual whether living or dead. The exemption is subject to the limits on the exemption in clauses 3(2)-3(6).

When an agency receives a valid access application, one of the first steps usually taken is to conduct searches to locate the requested documents.

The documents located are then examined as part of the agency's decision-making process.

However, when an agency relies on section 23(2), the agency's decision to refuse access is not based on an examination of individual documents coming within the scope of an access application. Rather, it is based on a consideration of the nature of the requested documents as described in the access application. This means that, if the requirements of section 23(2) are made out, the agency is not required to conduct searches for the requested documents.

The OIC acknowledges that searching for documents can be a time-consuming task. However, the Commissioner is concerned that some agencies may be relying on section 23(2) to avoid the work involved in searching for documents, in circumstances where the requirements of section 23(2) are not made out.

The OIC is currently drafting a more detailed guide for agencies to assist their understanding of the application of section 23(2).

The Commissioner will continue to monitor these matters and consider whether further action is required.

## 30 Year Anniversary of the FOI Act and the OIC

In 2023, the OIC celebrated 30 years of the legislative right to access documents of WA State and local government agencies under the FOI Act and the establishment of the OIC.

While the FOI Act was passed in 1992 and received royal assent on 15 December 1992, the sections of the FOI Act that created the role of Information Commissioner, established the OIC and outlined the right to access government documents did not commence until 1993.

## *Event Celebrating the 30<sup>th</sup> Anniversary*

To celebrate the 30<sup>th</sup> anniversary, the OIC held a morning tea for key dignitaries, OIC staff, and agency FOI coordinators on 26 July 2023. The WA Attorney General, The Hon. John Quigley MLA, addressed the event. This was followed by an address from the Information Commissioner.

### *30 years of FOI in WA web resources*

As part of its 30 year celebrations, the OIC developed a webpage, [30 Years of Freedom of Information in WA](#), which includes stories from 30 years of OIC annual reports, links to the consideration of the FOI bills in Hansard and the history of the OIC website.

### *30 years of FOI access applications*

Over the past 30 years, there has been a steady and consistent increase in the number of valid access applications to WA State and local government agencies. See Figure 12 to see the steady increase in the number of access applications made to State and local government agencies. There has been a 10-fold (or almost 900%) increase in agency applications over that 30-year period from 2,138 applications in 2002/03 to 21,241 in 2022/23.



*Photograph 2 – Attorney General, The Hon John Quigley, Information Commissioner Catherine Fletcher and OIC staff cut the OIC's 30<sup>th</sup> Anniversary cake*

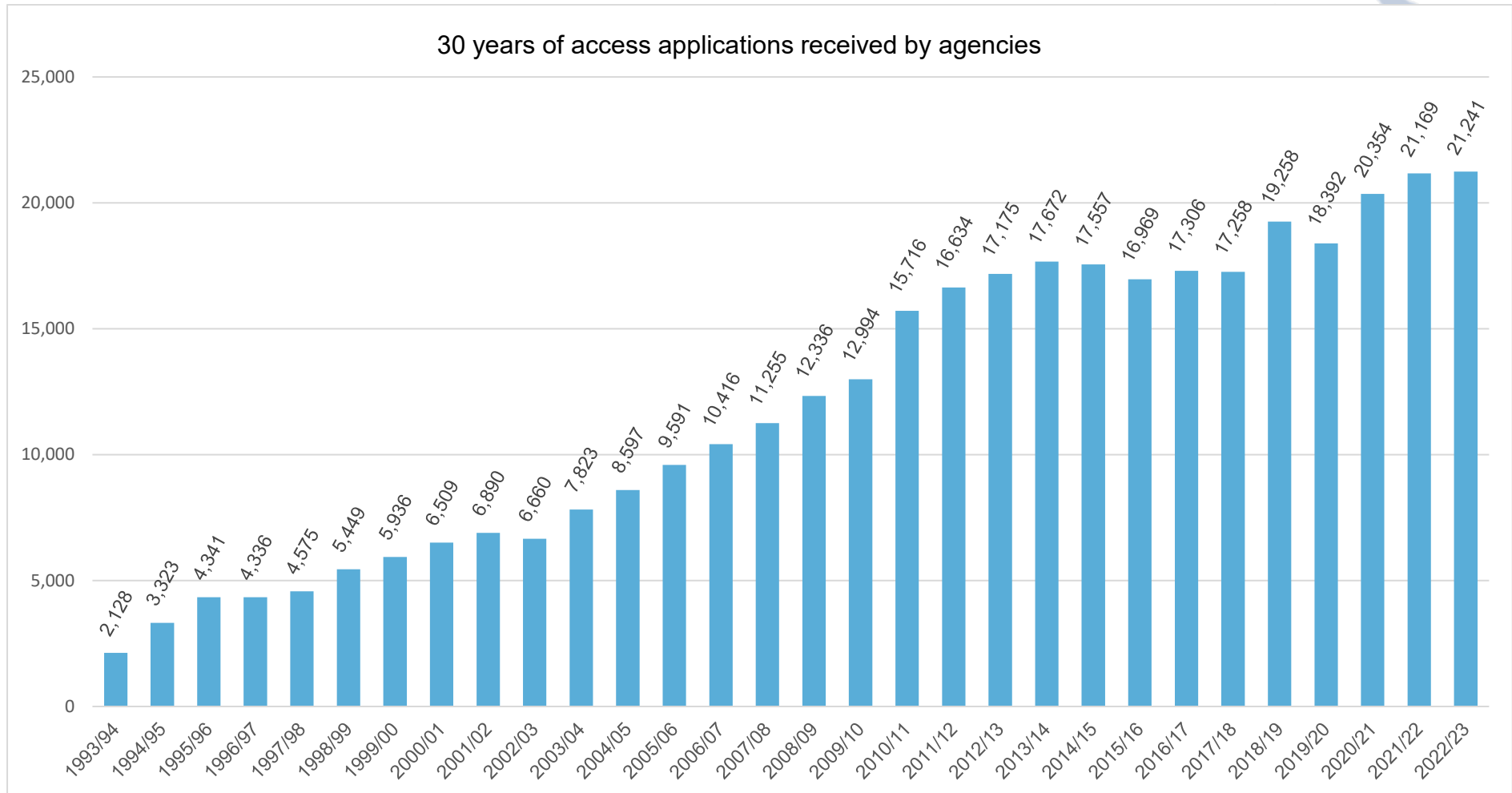


Figure 12 – Number of access applications over the 30 years of the FOI Act

### 30 years of FOI external review applications

The first annual report of the Information Commissioner in 1993/94 reported receiving 61 applications for external review between 1 November 1993 and 30 June 1994. In the 2022/23 annual report, the Information Commissioner reported receiving 156 applications for external review.

4,001 applications for external review were received within the first 30 years of the FOI Act. Over the last 10 years, the average number of external reviews received was 139.2 for the years 2013/14 to 2017/18, compared to 170.6 for the years 2018/19 to 2022/23.

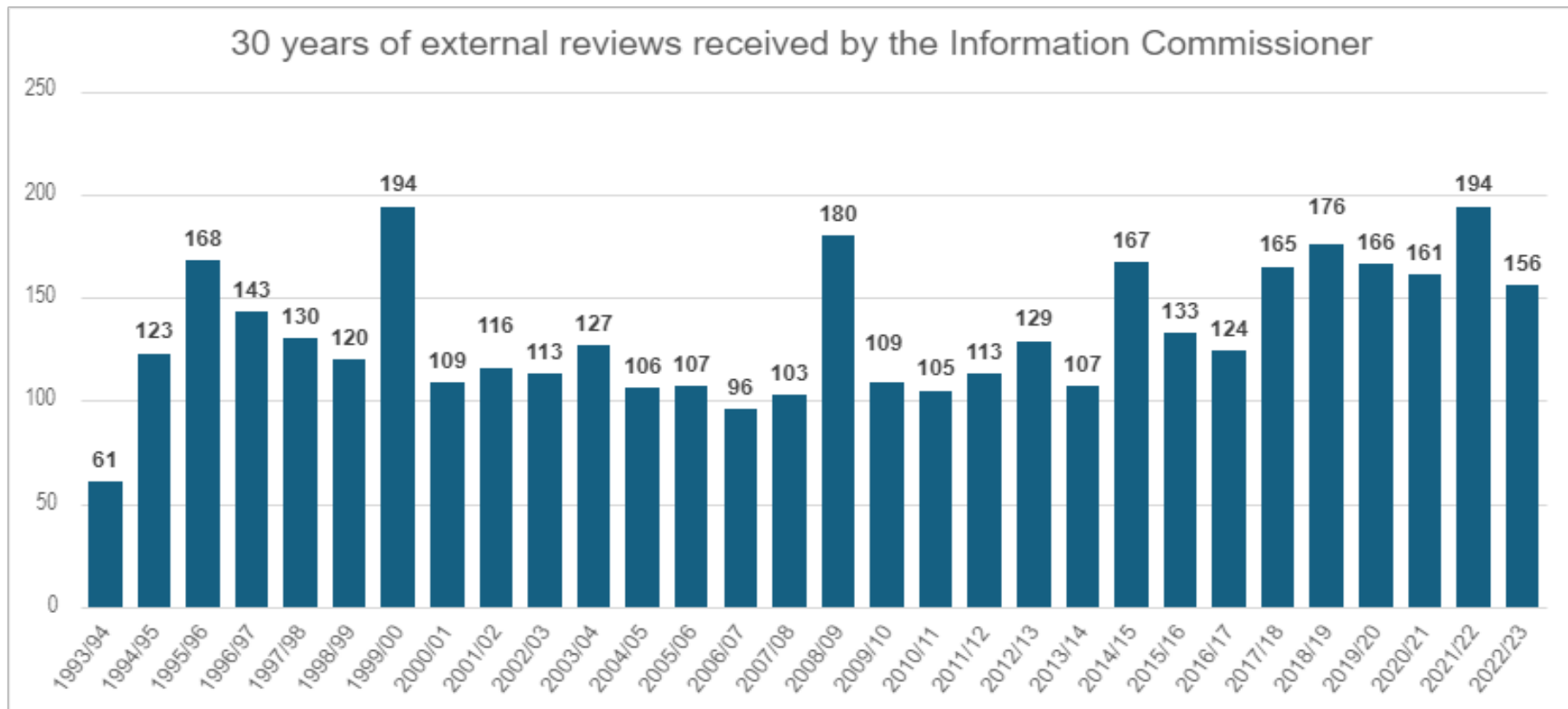


Figure 13 – Number of external review applications received by OIC over the first 30 years of the FOI

## Recommended legislative and administrative changes

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

### *Standing recommendations for legislative amendment*

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

1. Appointment of staff by the Commissioner.
2. Outdated reference to 'intellectually handicapped persons'.
3. Public health facilities operated by non-government operators.
4. Consultation with officers of government agencies.
5. Refusal to deal with amendment applications.
6. Refusal to deal with repeat applications.
7. Not confirming the existence of documents that are exempt under clause 14(5) of Schedule 1 to the FOI Act.
8. Reference to closest relative.

The recommendations referred to at 1, 2 and 8 above are addressed in the PRIS Bill and IC Bill currently before Parliament.

None of the other recommended amendments are currently proposed for the FOI Act. The Commissioner maintains the need for all of these amendments, as well as the need for a comprehensive review of the FOI Act.

In last year's annual report, the Commissioner recommended the establishment of a Deputy Information Commissioner. The need for this amendment has been superseded by the proposed provisions in the IC Bill currently before Parliament.

### *Review of the FOI Act*

The FOI Act has been in operation for 30 years. Since 1993, the annual reports of the Commissioner have recommended legislative or administrative changes that could help the objects of the Act to be achieved. However, there have been few amendments to the Act arising out of those recommendations. As noted in previous reports, with both the passing of time and the significant technological advancements in the way information is created, used and stored, the FOI Act is now well overdue for review.

As reported in the OIC's 2021/22 and 2022/23 annual reports, since 2020, the Legislative Council's Standing Committee on Public Administration (**the Committee**) has produced two reports recommending that the Attorney General undertake a review of the FOI Act and table a report in Parliament within three years: see [Report No 34, Consultation with Statutory](#)



*Office Holders*, November 2020, and Report No 38,  
*Consultation with Statutory Office Holders* February 2023.

Following the Committee's Report No 38, the Attorney General invited the Commissioner to provide a proposed terms of reference for a review of the FOI Act.

On 27 June 2024, the Commissioner provided a proposed terms of reference for a review of the FOI Act to the Attorney General. The Attorney General has not yet indicated whether he will in fact support a review of the FOI Act.

## Privacy and Responsible Information Sharing (PRIS)

On 16 May 2024, the *Privacy and Responsible Information Sharing Bill 2024 (PRIS Bill)* and the *Information Commissioner Bill 2024 (IC Bill)* (together, **the PRIS legislation**) were introduced into the WA Parliament.

This is a very significant development for the OIC, the public and the public sector.

The PRIS Bill provides a framework to protect the privacy of personal information handled by public entities and to authorise the responsible sharing of information held by public entities. The IC Bill establishes the offices of the Information Commissioner, Information Access Deputy Commissioner and the Privacy Deputy Commissioner.

Under the IC Bill, the current Information Commissioner appointed under the FOI Act, will be taken to be appointed as the Information Access Deputy Commissioner on the day that the privacy provisions in Part 2 of the *Privacy and Responsible Information Sharing Act* commence.

Both the PRIS Bill and the IC Bill amend the FOI Act. The amendments are primarily consequential to the substantive provisions of the PRIS legislation. They harmonise the relevant provisions of the FOI Act with the PRIS legislation and create a tripartite single authority structure that will regulate privacy and freedom of information under the PRIS legislation and the amended FOI Act.

The OIC has provided extensive feedback to Government on the draft legislation during its development, particularly as it relates to information access and the FOI Act.

## Importance of good record-keeping

Good record-keeping underpins the right of access to documents under the FOI Act. While it is not the Information Commissioner's role to examine in detail an agency's record-keeping practices, one of the Commissioner's functions under the FOI Act (section 63(2)(d)) is to ensure that agencies are aware of their responsibilities under the FOI Act. That includes highlighting deficiencies in an agency's record-keeping practices that may impact upon the proper functioning of the FOI Act, where such deficiencies are uncovered in the course of an external review: see for example [Re Cox and Town of Claremont \[2009\] WAICmr 36](#) at [33].

Record keeping deficiencies were highlighted during the reporting period when the Commissioner dealt with an application for external review where the agency had not taken appropriate steps to protect CCTV footage following receipt of the complainant's access application.

The [General Retention and Disposal Authority for State Government Information \(GRDASG\)](#) issued by the State Records Commission provides that surveillance/CCTV footage taken from fixed cameras around public open spaces and public access areas, where footage is not required for investigations, can be destroyed after 31 days: see page 171, Reference No. 88, Security/Surveillance.

However, section 2.2 of the GRDASG also states:

If an Investigation or Inquiry is in progress (or likely or imminent), or if an access application under the *Freedom of Information Act 1992* has been lodged, all records relevant or subject to the Investigation/Inquiry/FOI application must be identified and retained until the action and any subsequent actions are completed. This applies regardless of whether the records in question are due for destruction.

This means that, if an agency receives an access application under the FOI Act, the requested documents should be identified and retained regardless of whether the documents are due for destruction.

In light of the extensive use of CCTV cameras by agencies in public places, the Commissioner considers it is essential that agencies have proper processes in place that protect CCTV

footage from destruction when an access application for the CCTV footage is received.

## Amendment to the FOI Act

During the reporting period, a new exemption, clause 13A Abortion Information, was inserted into Schedule 1 to the FOI Act by the *Abortion Legislation Reform Act 2023 (WA)*. The Explanatory Memorandum stated that clause 13A enables 'abortion information to be an exempt matter under the [FOI] Act.' It also stated that '[t]his clause does not preclude a person from accessing their own health information.' The Commissioner was consulted on the proposed amendments.

## Submissions and consultations

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

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

In addition, the Commissioner made a submission to the Victorian Integrity and Oversight Committee Inquiry into the operation of the *Freedom of Information Act 1982 (Vic)*. The Commissioner's submission is available on the [Parliament of Victoria website](#).

## Privacy and responsible information sharing (PRIS)

As noted above, in May 2024, the Government introduced the PRIS legislation to the Parliament.

During the reporting period, the OIC provided feedback and assistance as requested to the Office of Digital Government (an office within the Department of the Premier and Cabinet) and to the State Solicitor's Office in relation to the proposed PRIS legislation.

The OIC also continued to attend the Public Sector PRIS Implementation Steering Committee as an observer and is also a member of a related working group.

## Supreme Court appeals

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

During the year, one decision of the Commissioner was the subject of an appeal to the Supreme Court. That appeal (filed by the complainant) arose from the Commissioner's decision in [Re Pearlman and University of Western Australia \[2024\]](#)

[WAIComr 6](#). As at the end of the reporting period, the Supreme Court had not heard the appeal.

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

## Information Access Study 2023

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

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

The full results of the WA study are available on the OIC [website](#).

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

- Similar to 2019 and 2021 results, most respondents (88%) indicated that having a right to access government information was either very important or quite important. Respondents who had tried to access information held by a government agency in the last three years were much more likely to feel it was very important (58%).

- In 2023, slightly less people knew they had the right to access information held by the listed agencies (72% compared to 79% in 2021). Respondents were more likely to be aware of their right to access information from local governments/councils (55%), and least likely to be aware of the right to access information from public universities, state owned businesses and Ministers (29%).
- Similar to previous years, close to a third of respondents (31%) had tried to access information held by government agencies in the last three years. As with previous years, respondents were more likely to access information held by local government (17%) and public hospitals and health services (15%).
- In 2023, significantly fewer respondents who tried to access information from these agencies were successful (77%), compared to 88% in 2021 and 91% in 2019.

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

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

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

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

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

In September 2023, the Information Commissioners and Ombudsmen from across Australia released a summary of the findings of the cross-jurisdictional study of community attitudes on access to government information comparing data collected from the various jurisdictions. The comparative study of results across the Commonwealth jurisdiction and the State information access jurisdictions in New South Wales, Queensland, Tasmania, Victoria, Western Australia and the ACT are available on the OIC [website](#).

## National Metrics about Information Access Rights

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

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

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

The National Metrics data now includes the data for 2022/23 (which is the most recent data across the jurisdictions) and was published in the reporting period. The most recent National Metrics are available on the NSW Information and Privacy Commission's [website](#).

### *Development of the National Metrics*

Under Commitment 3.2 of Australia's first Open Government National Action Plan 2016-2018, the NSW Information Commissioner led work by Australian Information Commissioners and Ombudsmen to develop (within the remit of their jurisdictions) uniform metrics on public use of freedom

of information access rights and the collection and publication of this data.

The objective was that Australia will better measure and improve our understanding of the public's use of rights under access to information laws.

The scope of the metrics covers:

- the type of applicant;
- application rates per capita;
- release rates;
- refusal rates;
- timeliness; and
- review rates.

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

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

For example, in the National Metrics, the reported number of access applications where access is refused in full does not include those where there was a decision made under section

26 of the FOI Act to refuse access (on the basis that the documents cannot be found or do not exist).

This is because not all jurisdictions have the equivalent of a section 26 decision available.

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

### What the data says about information access in WA in 2022/23

The data from the 2022/23 dashboard indicates that WA agencies:

- receive the highest number of access applications per capita, alongside South Australia;
- has the third highest percentage of access provided in full or in part (93%), alongside the Northern Territory;
- has the lowest percentage of external reviews received, as a percentage of the total number of access applications received by agencies; and
- dealt with 87% of access applications within the statutory timeframe provided by the FOI Act.

It is also interesting to compare the WA data with jurisdictions that have reformed their information access laws to include a greater emphasis on proactive disclosure over access applications to provide access to information (such as New South Wales, Queensland, the Commonwealth and the Australian Capital Territory).

Notably there is a consistently lower rate of access applications made per capita and a higher rate of use of review rights. This likely indicates that information access laws are used less often and for more contentious information in the reformed jurisdictions.

**WA Metrics – 2017/18 to 2022/23**

Description	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
<b>Metric 1:</b> Number of formal applications received by agencies	17,258	19,258	18,392	20,354	21,169	21,241
<b>Metric 2:</b> Formal applications received per capita	6.7	7.3	6.9	7.6	7.6	7.4
<b>Metric 3:</b> Percentage of all decisions made on formal applications where access was granted in full or in part	96%	94%	91%	92%	91%	93%
<b>Metric 4:</b> Percentage of all decisions made on formal applications where access was refused in full	4%	6%	9%	8%	9%	7%
<b>Metric 5:</b> Percentage of all decisions made within the statutory time frame	91%	90%	87%	86%	88%	87%
<b>Metric 6:</b> Percentage of applications received which are reviewed by the jurisdiction Information Commissioner/ Ombudsman	1.0%	0.9%	0.9%	0.8%	1.0%	0.7%

*Figure 14 – WA Metrics from the National Metrics about information access rights*

## FOI research project by Monash University Monash University – *The culture of implementing freedom of information in Australia*

In partnership with Monash University and with significant funding from the Australian Research Council, the Office of the Victorian Information Commissioner, the South Australian Ombudsman and the OIC participated in a research project led by Monash University to examine key aspects of FOI culture and practices in those jurisdictions.

The OIC contributed approximately \$38,000 to the research project over the three years.

The three-year project was completed during the reporting year. The project sought to:

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

Researchers reviewed 377 surveys completed by agency officers within the three jurisdictions, and interviewed 257 individuals at 96 agencies from hospitals, government departments, statutory agencies, local government and universities across Victoria, South Australia and Western Australia.

32 WA government agencies completed 109 surveys, and 70 officers participated in interviews. All responses were de-identified in the report.

The report recognises that an analysis of the survey and interview responses demonstrates that FOI officers of WA government entities have a deep knowledge and understanding of the purposes, functions and challenges facing the FOI system and ideas about how to make the system work better.

Based on its findings, Monash University made eleven recommendations to improve the culture and administration for FOI in Australia and four recommendations specifically for WA. Those recommendations are set out below:

### **FOI Legislation – should be reformed to:**

1. Make explicit that proactive information release should operate as the default rather than the use of FOI applications as a means for providing access to information.



2. Ensure that terminology and procedures are reflective of modern digital environments, rather than the paper-based environments that prevailed when the FOI Acts were first enacted.
3. Streamline consultation requirements to ensure that consultation is required only where it is reasonable and practicable and that it does not unduly extend decision-making timelines.
4. Ensure that legislative timeframes are realistic having regard to the processes involved and based on working days, rather than calendar days.
5. Include within the legislation clear and adequate procedures for dealing with vexatious applications.

#### **FOI administration – should:**

1. Support agencies in developing proactive release policies relevant to their specific needs.
2. Ensure that any ministerial noting processes are structured to ensure that FOI officers can process requests within required timeframes.
3. Provide recurring sector-specific FOI training.
4. Provide recurring records management (**RM**) and FOI education for wider agency employees, including executives.
5. Ensure that RM rollout is consistent with both with RM best practice and FOI efficiency.

6. Work with state public record offices regarding agency adherence to RM policies and strengthen the knowledge and understanding between RM best practice and FOI efficiencies.

#### **The four WA specific recommendations were:**

1. Review and reform of the FOI Act.
2. Update OIC WA website to be user friendly to both applicants and practitioners.
3. Provide sectors with more bespoke education and examples.
4. Examine how proactive release could assist sectors by releasing commonly requested documents by default.

The report also noted “the critical role of adequate funding for records management and FOI processes in promoting a culture of transparency and the effective operation of the FOI Acts”.

Within the next reporting period, the OIC will work to respond to the recommendations of the report.

## Accountability Agencies Collaborative Forum

The Commissioner is a member of the Accountability Agencies Collaborative Forum (**the AACF**), which consists of a number of small independent accountability agencies. The AACF meet twice yearly to discuss opportunities to collaborate, share ideas and provide mutual support.

This also allows members to discuss matters unique to small agencies with oversight and accountability functions.

## Association of Information Access Commissioners (AIAC)

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

The AIAC meets twice per year. The Commissioner attended both AIAC meetings in the 2023/24 financial year. The OIC hosted the November 2023 AIAC meeting in Perth on the day following the FOI in WA Conference. The second AIAC meeting was held in Melbourne in March 2024.

The AIAC produces a communique after each meeting to inform the community of key outcomes of the meetings:

- 16 November 2023: [Communiqué of the Association of Information Access Commissioners of Australia and New Zealand \(AIAC\) meeting - 3 November 2023, Perth, Australia](#)
- 09 April 2024: [Association of Information Access Commissioners of Australia and New Zealand \(AIAC\) meeting communiqué - 15 March 2024, Melbourne, Australia](#)

A Communications Working Group (**CWG**) has recently formed between the members of the AIAC. The CWG provides a regular forum through which communications, education and engagement officers can collaborate on advocacy and education and also share ideas and experiences. This work enhances public trust and confidence in access to information. The International Access to Information Day events and promotions are an important focus of the group.

## International Conference of Information Commissioners

The Commissioner is a member of the [International Conference of Information Commissioners \(the ICIC\)](#). The ICIC is comprised of Information Commissioners and Ombudsmen from across the globe, who meet to discuss issues related to the protection and promotion of the right to public information for the benefit of citizens.

The Information Commissioners of Australia, Queensland, New South Wales and Victoria are also members of the ICIC.

The 2024 ICIC conference was held in Albania, both in person and online from 3 to 5 June 2024. The Commissioner attended part of the conference online.

## Information Management

By virtue of her role as Information Commissioner, the Commissioner is one of four State Records Commissioners under the *State Records Act 2000*. The other Commissioners are the Auditor General, the Ombudsman, and an Archives/Record Keeping Expert who is outside the public sector. As State Records Commissioner, the Commissioner takes an active part in a broad range of public sector information related projects led by the State Records Office, including projects relating to revised record-keeping standards and principles, information management and information classification.

### *Western Australian Information Management Framework Working Group*

As noted in the 2022/2023 OIC annual report (at page 51), the Commissioner participated in a working group to support the State Records Office in the development of an [Information Management Framework for Western Australia \(the Framework\)](#). In April 2024, the Framework was released by Government. The Framework is underpinned by three information management principles: information rights are respected; information is managed as a valuable public asset; and information has integrity and can be trusted.

### *Western Australian Information Classification Policy Working Group*

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

The Working Group is comprised of agency and independent office representatives and was established to assist with the development of guidance materials to support the implementation of the WAICP. During the year, the OIC continued its involvement with the Working Group and the Information Classification Community of Practice in relation to the implementation of the WAICP across the sector.

## Disclosures and legal compliance

### FOI in the sector

Section 111 of the FOI Act requires that the Commissioner's annual report to Parliament is to include certain specified information relating to the number and nature of applications dealt with by agencies under the FOI Act during the year. To enable that to occur, agencies are required to provide the Commissioner with the specified information. That information for 2023/24 is set out in detail in the statistical tables in the [Agency Statistics](#) chapter of this report. The following is an overview of some of key data.

Agency category access applications received	No.	%
Boards, Committees, Commissions, Authorities, Corporations	612	2.8%
Departments (except Police and Health related agencies)	4,263	19.2%
Health Related Agencies	12,904	58.1%
Local Governments	964	4.3%
Ministers	55	0.2%
Police	3,397	15.3%
Universities	32	0.1%
<b>TOTAL</b>	<b>22,227</b>	<b>100</b>

Figure 15 – Access applications received in 2023/24

MOST ACCESS APPLICATIONS RECEIVED 2023/24 (TOP 10 AGENCIES)	Application received
SMHS - Rockingham Peel Group	630
WACHS - South West	669
EMHS - Armadale Kalamunda Group	700
WACHS - Kimberley	714
Energy, Mines, Industry Regulation and Safety, Department of	746
NMHS - Sir Charles Gairdner Hospital	1,221
Justice, Department of	1,391
SMHS - Fiona Stanley Fremantle Hospital Group	2,580
Police Force, Western Australia	3,397
Royal Perth Bentley Group	3,575
<b>TOTAL</b>	<b>15,623</b>

Figure 16 – Top ten agencies by number access applications received

See Table 12 for details of all agencies.

### Valid access applications received by agencies

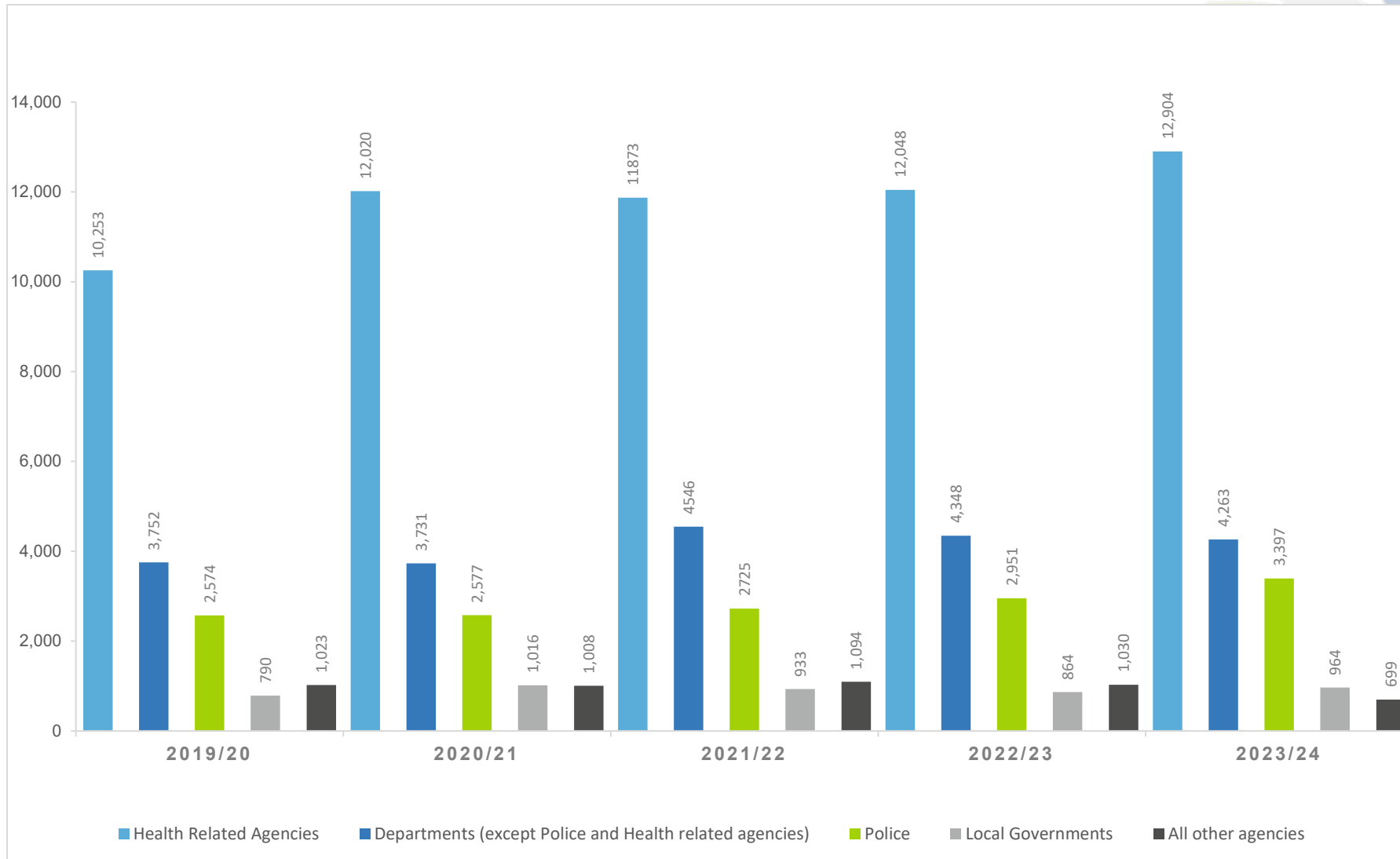


Figure 17 – Valid access applications received over five years by agency group

## Agency decisions

- 19,697 decisions were made by agencies in response to access applications during the year compared to 18,998 decisions in 2022/23 (a 3.6% increase in decisions made by agencies). See Table 13.
- A further 1,899 applications were withdrawn.
- The difference between the total number of access applications received by agencies and the number finalised by a formal decision of the agency is explained by a number of applications being withdrawn and a number not being finalised with the reporting period.

### Access given in part or in full

Agencies can decide to give an access applicant access to the requested documents in full or in part (edited access) or to refuse access to the requested documents.

- 86.8% of all agency decisions resulted in the applicant receiving some form of access, whether in full; in part; by way of deferred access under section 25 of the FOI Act; or through a medical practitioner in accordance with section 28 of the FOI Act.
- 13% of all agency decisions were to refuse access to documents in full, either under section 26 of the FOI Act on the basis that the documents could not be found or did not exist; because the documents were exempt in full; or because the agency refused to deal with an access application under section 20 of the FOI Act on the ground

that it would divert a substantial and unreasonable portion of the agency's resources away from its other operations.

- While a substantial amount of access application across the sector result in access in part or in full, the amount and kind of access given varies greatly between the agency groups. For health-related agencies, 86.9% of applications result in access being given in full. 79% of access applications to local government result in edited access being given to the requested documents. See Figure 19 for an indication of access across all the agencies. Figure 20 demonstrates the difference in access provided by between the different agency groups.

### Exemptions claimed by agencies

The most commonly claimed exemption to refuse access continues to be clause 3(1) of Schedule 1 to the FOI Act. Clause 3(1) provides that information is exempt if its disclosure would reveal personal information about an individual. Clause 3(1) was claimed in 4,268 decisions. This was more than eight times the next most claimed exemption, clause 5, which was claimed 508 times. Clause 5 of Schedule 1 to the FOI Act lists a number of exemptions that relate to law and public safety. A summary of claimed exemptions by agency groups is summarised at Figure 22.

For detail of the exemptions claimed by all agencies see Table 14.

## Decisions to refuse to deal with an access application

Agencies can decide to refuse to deal with an access application under section 20 of the FOI Act if dealing with the application would involve a substantial and unreasonable diversion of the agency's resources.

This is the third year that agencies have been required to report section 20 decisions separately. These types of decisions have previously been counted under 'access refused'. 41 agencies reported a total of 108 decisions made under section 20 during the reporting period. This is an increase from the previous reporting period, both in number of agencies making a decision under section 20 (31 in 2022/23) and number of decisions made under section 20 (79 in 2022/23).

The developing trend in the number of decisions by agencies to refuse to deal with access application under section 20 will be monitored by the OIC. Agencies should only refuse to deal with an application under section 20 if dealing with the application would involve a substantial and unreasonable diversion of the agency's resources. To rely on section 20, an agency must first take reasonable steps to assist the access applicant to change the application to reduce the amount of work needed to deal with it.

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Boards, Committees, Commissions, Authorities, Corporations	164	31.0%	278	52.6%	1	0.2%	0	0.0%	49	9.3%	10	1.9%	27	5.1%
Departments (except Police and Health related agencies)	1,060	27.7%	1,932	50.5%	7	0.2%	2	0.1%	550	14.4%	41	1.1%	232	6.1%
Health Related Agencies	10,007	84.7%	1,240	10.5%	3	0.0%	16	0.1%	486	4.1%	22	0.2%	38	0.3%
Local Governments	96	11.1%	686	79.0%	7	0.8%	2	0.2%	41	4.7%	11	1.3%	25	2.9%
Ministers	8	13.3%	27	45.0%	0	0.0%	0	0.0%	14	23.3%	7	11.7%	4	6.7%
WA Police	777	30.1%	810	31.4%	0	0.0%	0	0.0%	62	2.4%	16	0.6%	914	35.4%
Universities	4	16.0%	16	64.0%	0	0.0%	0	0.0%	2	8.0%	1	4.0%	2	8.0%
<b>TOTAL</b>	12,116	61.5%	4,989	25.3%	18	0.1%	20	0.1%	1,204	6.1%	108	0.5%	1,242	6.3%
<b>Grand Total</b>	<b>19,697</b>													

Figure 18 – Total decision outcomes according to agency group during the reporting year



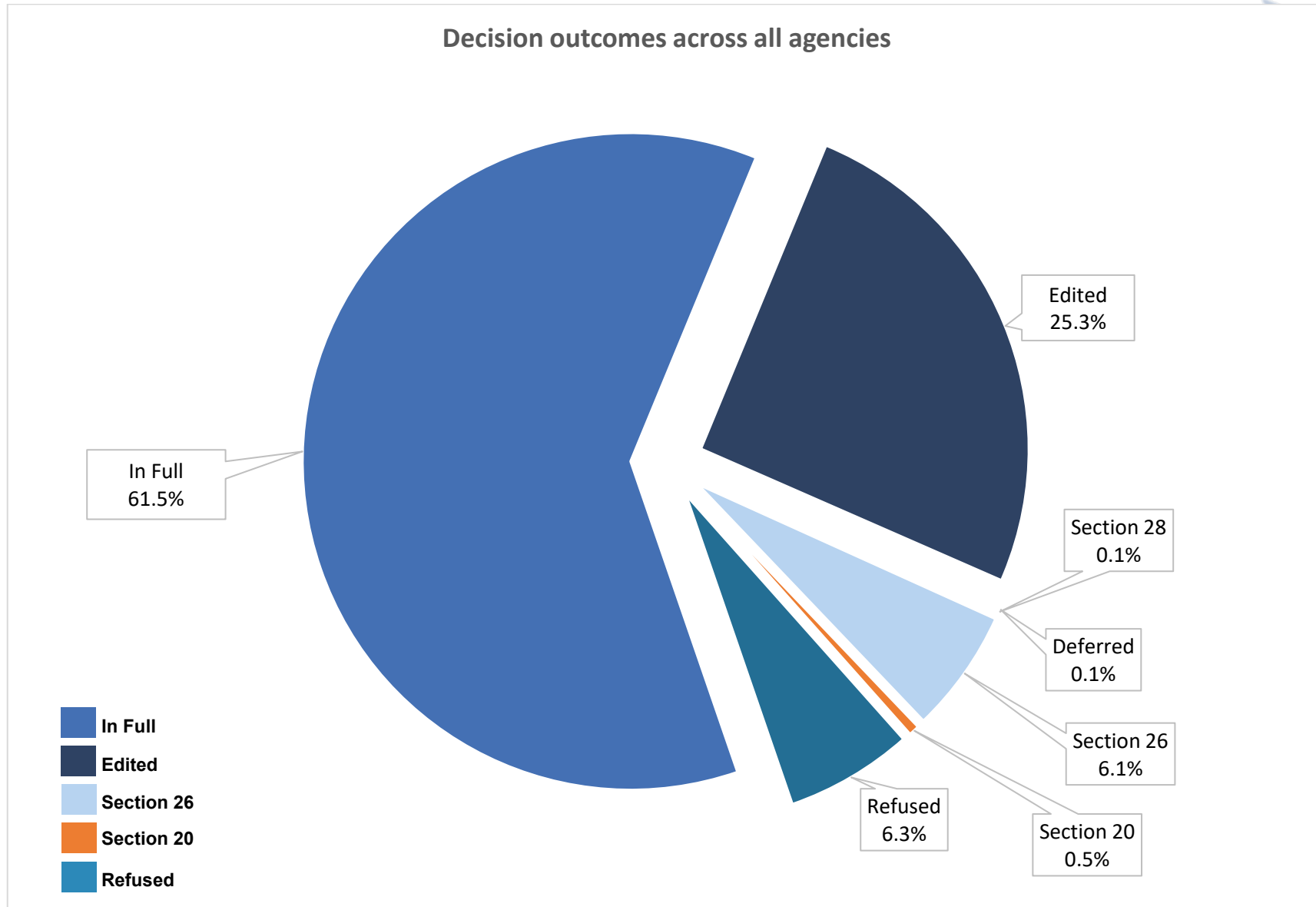


Figure 19 – Outcomes of decisions across agencies during the reporting year

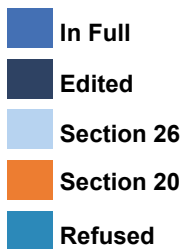
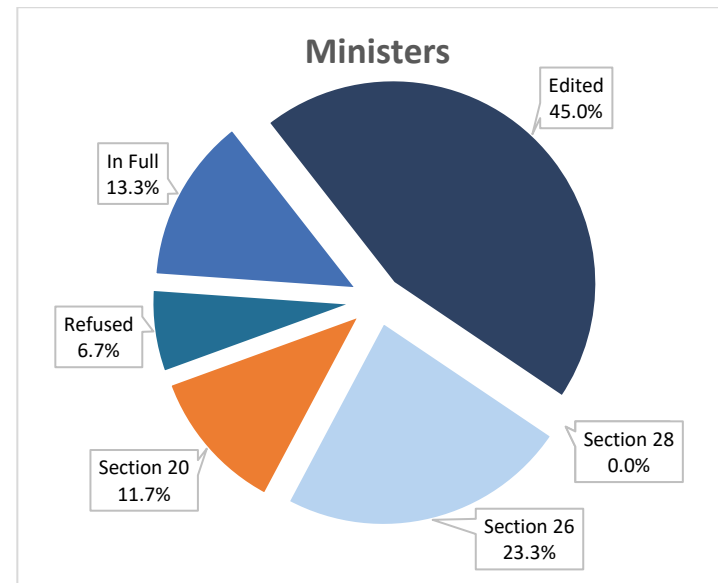
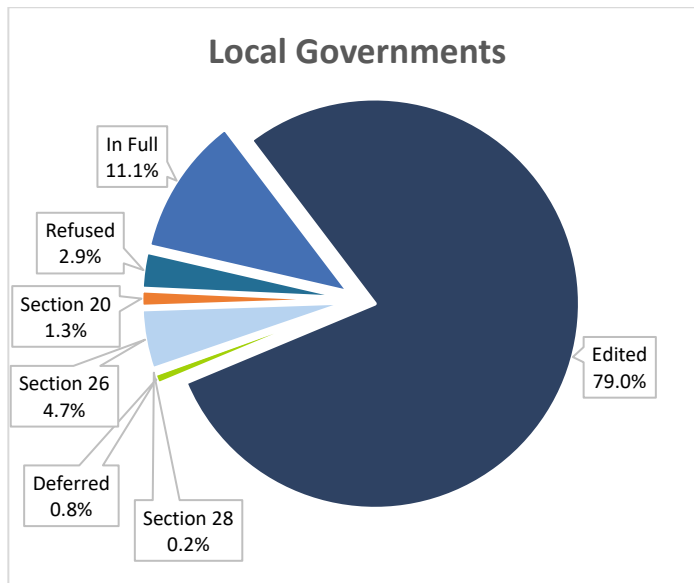
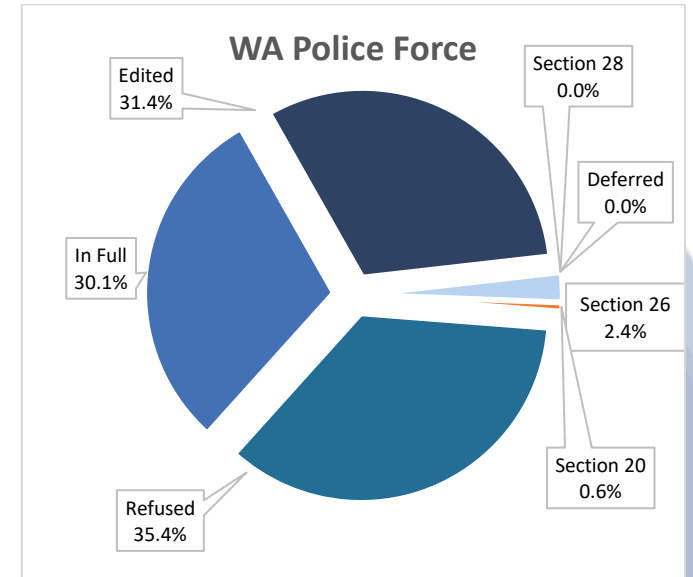
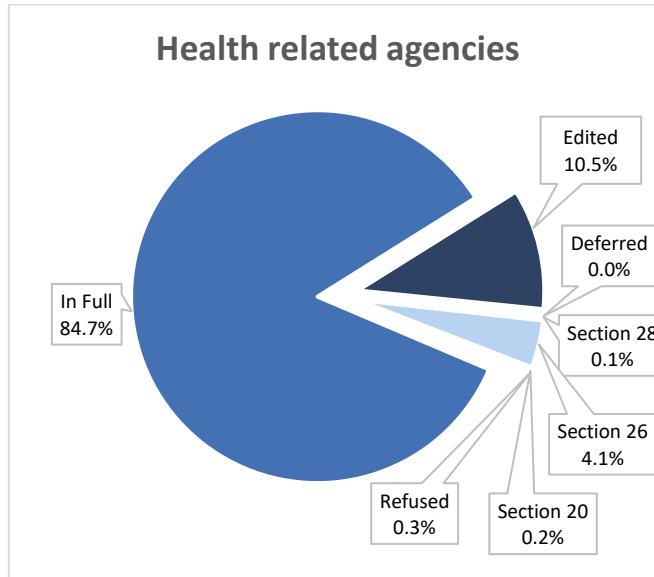
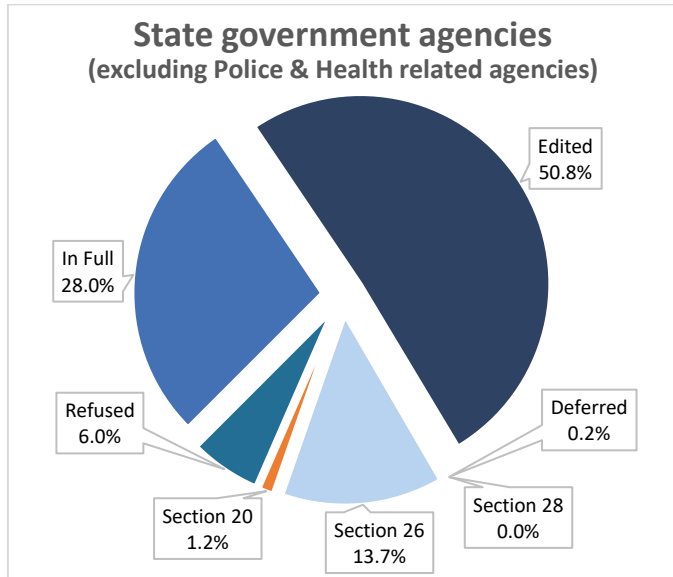


Figure 20 – Outcomes of decisions by agency type

## Top 10 Exemptions

Clause No.	Description	No. of Claims	%
Clause 3	Personal Information	4,268	72.6
Clause 5	Law enforcement, public safety and property security	508	8.6
Clause 4	Trade secrets, commercial and business information	215	3.7
Clause 11	Effective operation of agencies	207	3.5
Clause 6	Deliberative processes of Government	186	3.2
Clause 8	Confidential communications	132	2.2
Clause 14	Information protected by certain statutory provisions	125	2.1
Clause 7	Legal professional privilege	123	2.1
Clause 1	Cabinet and Executive Council	70	1.2
Clause 12	Contempt of Parliament or court	41	0.7
<b>TOTAL</b>		<b>5,875</b>	<b>100</b>

Figure 21 – Top 10 exemption clauses claimed during the reporting year

For detail, see Table 16 and Table 17.

AGENCY CATEGORY	EXEMPTION CLAUSE															
	(Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Boards, Committees, Commissions, Authorities, Corporations	8	0	250	15	0	3	127	31	9	0	0	1	1	0	0	0
Departments (except Police and Health related agencies)	42	4	1,752	110	0	247	33	45	94	0	14	190	23	1	120	0
Health Related Agencies	0	0	739	2	0	4	4	4	5	0	0	4	1	0	1	0
Local Governments	0	0	487	82	0	44	17	39	14	0	1	3	1	0	0	0
Ministers	17	1	23	3	0	0	4	1	0	0	0	0	10	0	0	0
WA Police	3	0	1,001	2	0	209	1	3	5	0	0	8	5	0	4	0
Universities	0	0	16	1	0	1	0	0	5	0	0	1	0	0	0	0
<b>Total</b>	<b>70</b>	<b>5</b>	<b>4,268</b>	<b>215</b>	<b>0</b>	<b>508</b>	<b>186</b>	<b>123</b>	<b>132</b>	<b>0</b>	<b>15</b>	<b>207</b>	<b>41</b>	<b>1</b>	<b>125</b>	<b>0</b>

Figure 22 – Exemption clauses by agency category

## Fees and charges imposed by agencies

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

- A total of \$251,119 in access application fees was collected by agencies in the reporting period.
- \$42,926 in charges was imposed by agencies, an average of \$6.26 per application for non-personal information. However, in the majority of cases, no charges were reported as imposed.

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

## Agency timeframes for dealing with access applications

An agency is required to deal with an access application as soon as is practicable; and in any event, within the permitted period.

The permitted period is 45 days after the access application is received or such other period as is agreed between the agency and the access applicant, or such other period as is allowed by the Commissioner.

The average time for dealing with access applications in the reporting period was 34.3 days (26.5 days last year), which remains within the 45 days provided in the FOI Act. In 2013/14 the average time to for dealing with access applications was 22.9 days. Five years ago, in 2018/19 it was 34.6 days.

### Decisions made outside the permitted period

Agency type	No. of agencies	No. of matters
State government (not including health services)	28	438
Health services	14	1,769
Local government	15	43
<b>TOTAL</b>	<b>57</b>	<b>2,230</b>

Figure 23 – Total decisions made outside the timeframe during the reporting year

Of the 19,697 decisions made by agencies during the year, 8.8% were not dealt with in the permitted period compared to 12.7% in the previous year.

87.8% of agencies that dealt with a valid access application during the reporting period dealt with all their access applications within the permitted period.

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

**Internal review**

- Agencies received 310 applications for internal review of decisions relating to access applications. This represents 1.6% of all decisions made by agencies in respect of access applications.
- 96 (28.3%) internal review applications finalised during the reporting period resulted in the initial decision being varied or reversed.

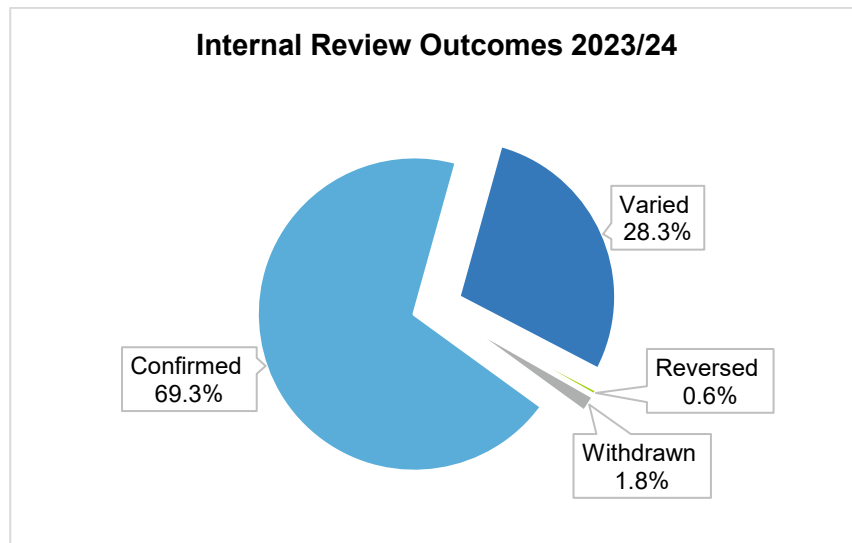


Figure 24 – Internal review outcomes during the reporting year

**Amendment of personal information**

- 101 applications for amendment of personal information were received across agencies and 103 applications were finalised, including six applications being withdrawn. See Table 16 for detail about the number of applications for amendment received and the decisions made in respect of those applications.

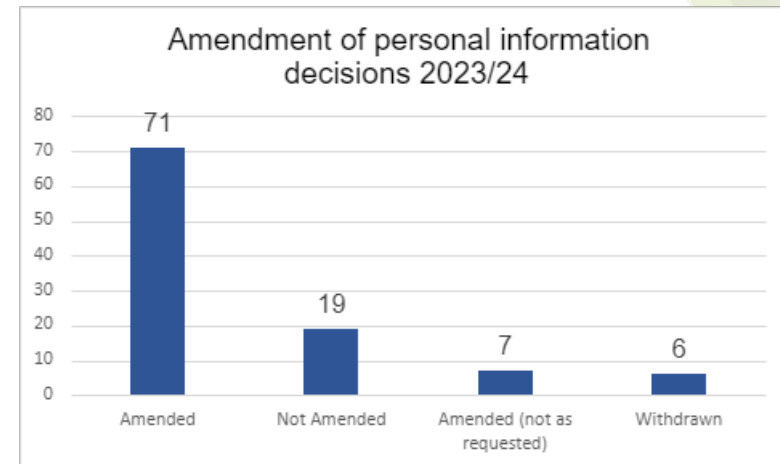


Figure 25 – Amendment of personal information decisions during the reporting year

Seven applications for internal review of amendment decisions were received within agencies, and eight decisions were made, 100% of which were to confirm the agency’s initial decision.

For greater detail about the number of requests for internal review of decisions in respect of applications for amendment of personal information received and the decisions made in respect of those applications for internal review, see Table 17.

## Financial disclosures

### *Pricing policies of services provided*

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

### *Capital works*

\$1.4 million in funding from the Government's Digital Capability Fund was approved for 2023/24 to procure a replacement case management system and a fit-for-purpose document management system for the OIC.

Phase 1 of the project (procurement of project management services) was initiated in January 2024 and a contract awarded in July 2024.

### *Employment and industrial relations*

#### Staff profile

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

	2024	2023
Full-time permanent	7	5
Full-time contract	5	5
Part-time (measured on a FTE basis)	1.91	2.7
On secondment	2	2

Figure 26 – Total staff figures during the last two reporting years

### Staff movements

During the reporting period, additional staff were recruited after OIC received additional funding for two years from 2022/23 to temporarily increase staff resources. The new appointments included two Review and Investigations Officers, a Senior Review and Investigations Officer, a Senior Systems Administrator and an Executive Assistant (appointed in June 2023). These appointments were not made permanent due to the finite nature of the funding.

Within the reporting period there have been the following staff movements:

- Five positions became vacant, including an officer with 30 years' experience at the OIC.
- Three new staff were recruited to fill two-year contract appointments, including secondments.
- Two new staff members were recruited on a 12-month contract, one being on secondment.
- One new staff member was recruited and appointed to a permanent position.
- A contract extension of two years was awarded to an existing contracted staff member.
- The Commissioner's appointment was extended for another 12 months to July 2025.

In addition to the above, six positions were permanently reclassified and two staff members commenced parental leave.

## Staff development

### Continuing Professional Development (CPD)

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

### Other professional development

Staff are encouraged to attend various learning opportunities that arise. The availability of webinars and online training has increased opportunities for staff to attend more events.

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

### Workers' compensation

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

### *Governance disclosures*

- No senior officers, or firms of which senior officers are members, or entities in which senior officers have substantial interests, had any interests in existing or

proposed contracts with the OIC other than normal contracts of employment service.

- The OIC has no boards or committees, and therefore no remuneration costs in this regard.
- The OIC made no act of grace payments.
- No expenditure was spent on advertising agencies, polling organisations, direct mail organisations or media advertising organisations.



### Unauthorised use of credit cards

Officers of the OIC hold corporate credit cards where their functions warrant usage of this facility. Of the five cardholders, there were no instances of the cards being inadvertently used for private expenses.

### Conflicts of interest

The OIC maintains a Conflicts of Interest Register. During the reporting period, two conflicts were registered by the officers concerned and appropriate measures were put in place to manage that potential conflict.

### Gifts register

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

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

### Complaints about the OIC

The OIC's complaints policy and procedures has been developed in line with the *Australian and New Zealand Standard Guidelines for complaint handling in organizations AS/NZS 10002:2014*.

A complaint under the OIC complaints policy and procedure is an expression of dissatisfaction about the actions or services of the OIC, or the associated conduct of the Commissioner and/or OIC staff, and may be either a general comment or a formal complaint that requires investigation and response.

During the reporting year, the OIC received three formal complaints.

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

### Disability Access and Inclusion Plan

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

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

1. People with a disability have the same opportunities as other people to access the services of, and any events organised by, a public authority.
2. People with a disability have the same opportunities as other people to access the buildings and other facilities of a public authority.
3. People with a disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

4. People with a disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.
5. People with a disability have the same opportunities as other people to make complaints to a public authority.
6. People with a disability have the same opportunities as other people to participate in any public consultation by a public authority.
7. People with a disability have the same opportunities as other people to obtain and maintain employment with a public authority.

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

A yearly progress report on the initiatives in the DAIP has been lodged with the Department of Communities. The majority of strategies are ongoing practices, such as maintaining access to premises and employment opportunities that may arise.

No new initiatives commenced during the year.

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

The five-year review of the DAIP is due in 2024/25.

### Compliance with Public Sector Standards and ethical codes

The OIC operates under an established code of conduct that references the WA Public Sector Code of Ethics (**the Code**). The OIC also has an employee grievance resolution policy in place.

All new staff are provided with a copy of the Code and grievance policy as part of their induction, and these documents are also available to all staff on the OIC's knowledge management system.

### Records management

The OIC's five-year record-keeping plan (**RKP**) was reviewed and submitted to the State Records Office in December 2022.

The OIC manages its records both electronically and by way of paper record files.

Since 2020, the OIC has, by necessity following the global pandemic, moved towards retaining records electronically on a shared network, rather than only physical records. This ensures that staff can access the information they need when required to work remotely. While this has changed the manner in which records are kept, in the absence of a fully developed electronic document management system, administrative and functional records continue to be printed and physically filed.


As reported earlier in this report, funds were approved through the Digital Capability Fund in 2023/24 to replace the OIC's ageing case management system and introduce an electronic document records management system. The finalisation of this procurement is expected in 2024/25. The OIC recognises that a significant part of this project will be the review and development of new policies and procedures to accommodate the new systems and the move to digital record keeping practices and management.



# Key Performance Indicators

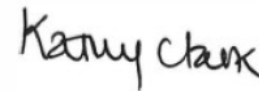
## Certification of Key Performance Indicators

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 2024.



Catherine Fletcher  
Information Commissioner

16 September 2024



Kathy Clark  
Acting Manager External Review

16 September 2024



Nexia Perth Audit Services Pty Ltd

## Government Goal

### *Safe, Strong and Fair Communities*

Supporting our local and regional communities to thrive.

## Desired outcome

Access to documents and observance of processes in accordance with the *Freedom of Information Act 1992 (the FOI Act)*.

## Description

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

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

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

### *Service 1: Resolution of Complaints*

### *Service 2: Advice and Awareness*

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

Officers delivering the Advice and Awareness output also emphasise the spirit of the FOI Act when delivering advisory services.

Wherever possible, agencies are encouraged to release information outside the FOI process where it is appropriate to do so and, where necessary, to follow the correct processes for dealing with an access application or an application for amendment of personal information under the FOI Act. Policy development within agencies that establishes routine information disclosure outside formal FOI processes is encouraged to minimise the impact of the obligations on the day-to-day operations of agencies. Many potential disputes are also resolved informally with assistance from the OIC.

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

### **Key Effectiveness Indicators**

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

### **Key Efficiency Indicators**

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

## **Key effectiveness indicators**

### ***Satisfaction of parties with external review process***

	2020	2021	2022	2023	2024
Target	85%	85%	85%	85%	85%
Outcome	78%	76%	80%	85%	81%

*Figure 27 – Satisfaction ratings of parties over the five-year period*

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

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

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

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

A PRQ was sent to 197 parties who participated in an external review process following finalisation of the review process. 83 participants returned a completed PRQ. 57 responses were received from agencies and 26 were received from complainants. The total response rate from all participants was 42%.

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 83 respondents, 67 (81%) 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*

	2020	2021	2022	2023	2024
<b>Target</b>	98%	98%	98%	98%	98%
<b>Outcome</b>	98%	100%	98%	98%	96%

Figure 28 – Satisfaction rating of agencies over the five-year period

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

A survey is conducted on an annual basis in conjunction with the annual statistical returns of agencies. The survey was sent to each of 271 State and local government agencies and Ministers. Of the 271 surveys sent, 271 agencies (100%) responded by returning a completed/commenced survey. Of the 271 respondent agencies, 139 (51%) confirmed receiving advice and guidance from this office.

Of those 139 agencies that received advice, 134 agencies (96%) expressed satisfaction with the advice and guidance provided to them by this office.

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

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

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

	2020	2021	2022	2023	2024
<b>Target</b>	70%	70%	70%	70%	70%
<b>Outcome</b>	64%	63%	70%	68%	66%

Figure 29 – External reviews resolved through conciliation over the five-year period

In total, 354 matters of all types were finalised by the OIC in 2023/24. However, of those 354 matters, only 134 were complaints (external reviews), as defined in section 65 of the FOI Act. Of the 134 external reviews resolved in 2023/24, 88 (66%) were resolved by conciliation. That is, as a result of inquiries conducted by the OIC, no issues remained in dispute which required a decision by the Commissioner.

## Key efficiency indicators

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

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

Included in calculating this KPI are only those matters dealt with by the Resolution of Complaints section of the OIC in 2023/24 which were formal "complaints" (see section 65 of the FOI Act) and applications that required a determination under the FOI Act rather than general administrative complaints or requests for assistance that are not technically "complaints" as per the FOI Act. General requests for assistance or for the intervention of the OIC, including misdirected applications, are reported on as part of the output of the Advice and Awareness Services. Most of those kinds of matters are dealt with by officers in the Advice and Awareness section of the OIC.

	2020	2021	2022	2023	2024
<b>Budget</b>	\$7,206	\$6,788	\$7,016	\$8,472	\$14,925
<b>Actual</b>	\$7,709	\$7,155	\$9,674	\$10,085	\$13,093

Figure 30 – Average costs of finalised external reviews over the five-year period

The table above reflects the costs incurred in resolving external reviews and applications (e.g. to lodge an external review out of time; permission not to consult; etc.) that may require a determination. It is calculated by dividing the number of external reviews and applications resolved by the OIC in 2023/24 (172) into the "Total Cost of Services" for the Resolution of Complaints output.



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

## **Output 2 – Advice and Awareness Services**

### **Average cost of advisory services delivered per recipient.**

In calculating this KPI, the total output units delivered by the Advice and Awareness section of the OIC in 2023/24 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.

	2020	2021	2022	2023	2024
<b>Budget</b>	\$364	\$324	\$219	\$348	\$338
<b>Actual</b>	\$283	\$215	\$331	\$370	\$368

*Figure 31 – Cost of advisory services over the five-year period*

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 2023/24 (2,622) into “Total Cost of Services” for the Advice and Awareness output.

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

# Financial Statements

## Office of the Information Commissioner

### Disclosures and Legal Compliance

#### Certification of financial statements

For the financial year ended 30 June 2024

The accompanying financial statements of the Office of the Information Commissioner have been prepared in compliance with the provisions of the *Financial Management Act 2006* from proper accounts and records to present fairly the financial transactions for the reporting period ended 30 June 2024 and the financial position as at 30 June 2024.

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**  
Information Commissioner  
16 September 2024



**Michelle Fitzgerald**  
Chief Finance Officer  
16 September 2024



Nexia Perth Audit Services Pty Ltd



## Auditor General

### INDEPENDENT AUDITOR'S REPORT

2024

Office of the Information Commissioner

To the Parliament of Western Australia

#### Report on the audit of the financial statements

##### Opinion

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

- the statement of financial position as at 30 June 2024, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended
- notes comprising a summary of material 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 2024 and the financial position as at the end of that period
- in accordance with Australian Accounting Standards (applicable to Tier 2 Entities), the *Financial Management Act 2006* and the Treasurer's Instructions.

##### Basis for opinion

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

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

##### Responsibilities of the Information Commissioner for the financial statements

The Information Commissioner is responsible for:

- keeping proper accounts
- preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards (applicable to Tier 2 Entities), the *Financial Management Act 2006* and the Treasurer's Instructions
- such internal control as it determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

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

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

#### Auditor's responsibilities for the audit of the financial statements

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

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

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

### Report on the audit of controls

#### Opinion

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

In my opinion, in all material respects, the controls exercised by the Office of the Information Commissioner are sufficiently adequate to provide reasonable assurance that the controls within the system were suitably designed to achieve the overall control objectives identified as at 30 June 2024, and the controls were implemented as designed as at 30 June 2024.

#### The Information Commissioner's responsibilities

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

#### Auditor General's responsibilities

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

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

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

#### Limitations of controls

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

### Report on the audit of the key performance indicators

#### Opinion

I have undertaken a reasonable assurance engagement on the key performance indicators of the Office of the Information Commissioner for the year ended 30 June 2024 reported in accordance with *Financial Management Act 2006* and the Treasurer's Instructions (legislative requirements). The key performance indicators are the Under Treasurer-approved key effectiveness indicators and key efficiency indicators that provide performance information about achieving outcomes and delivering services.

In my opinion, in all material respects, the key performance indicators report of the Office of the Information Commissioner for the year ended 30 June 2024 is in accordance with the legislative requirements, and the key performance indicators are relevant and appropriate to assist users to assess the Commissioner's performance and fairly represent indicated performance for the year ended 30 June 2024.

### The Information Commissioner's responsibilities for the key performance indicators

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

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

### Auditor General's responsibilities

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

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

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

### My independence and quality management relating to the report on financial statements, controls and key performance indicators

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

### Other information

The Information Commissioner is responsible for the other information. The other information is the information in the entity's annual report for the year ended 30 June 2024, but not the financial statements, key performance indicators and my auditor's report.

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

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

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

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

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 2024 included in the annual report on the Commissioner's website. The Commissioner's management is responsible for the integrity of the Commissioner's website. This audit does not provide assurance on the integrity of the Commissioner's website. The auditor's report refers only to the financial statements, controls and key performance indicators described above. It does not provide an opinion on any other information which may have been hyperlinked to/from the annual report. If users of the financial statements and key performance indicators are concerned with the inherent risks arising from publication on a website, they are advised to contact the entity to confirm the information contained in the website version.



Tim Sanya  
Senior Director Financial Audit  
Delegate of the Auditor General for Western Australia  
Perth, Western Australia  
17 September 2024

## Statement of Comprehensive Income – 30 June 2024

	Note	2024 \$	2023 \$
<b>Cost of services</b>			
<i>Expenses</i>			
Employee benefits expense	<a href="#">2.1(a)</a>	2,490,102	1,964,516
Supplies and services	<a href="#">2.2</a>	349,164	560,574
Depreciation expense	<a href="#">4.1(a)</a>	1,710	1,710
Accommodation expenses	<a href="#">2.2</a>	201,222	201,222
Other expenses	<a href="#">2.2</a>	174,867	134,371
<b>Total cost of services</b>		<b>3,217,065</b>	<b>2,862,393</b>
<i>Income</i>			
<u>Revenue</u>			
Commonwealth contributions	<a href="#">3.2</a>	33,707	78,243
Other income		33,165	1
<b>Total income</b>		<b>66,872</b>	<b>78,244</b>
<b>Net cost of services</b>		<b>3,150,193</b>	<b>2,784,149</b>
<i>Income from State Government</i>			
Service appropriation	<a href="#">3.1</a>	3,282,000	2,390,000
Services received free of charge	<a href="#">3.1</a>	33,079	23,767
<b>Total income from State Government</b>		<b>3,315,079</b>	<b>2,413,767</b>
<b>Surplus/(deficit) for the period</b>		<b>164,886</b>	<b>(370,382)</b>
<i>Other comprehensive income</i>			
<b>Total other comprehensive income</b>		<b>-</b>	<b>-</b>
<b>Total comprehensive income for the period</b>		<b>164,886</b>	<b>(370,382)</b>

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

## Statement of Financial Position – 30 June 2024

	Note	2024 \$	2023 \$
<b>Assets</b>			
<i>Current Assets</i>			
Cash and cash equivalents	<a href="#">6.1</a>	2,149,175	400,052
Restricted cash and cash equivalents	<a href="#">6.1</a>	-	38,493
Receivables	<a href="#">5.1</a>	11,214	22,329
Other current assets	<a href="#">5.3</a>	24,631	21,332
<b>Total Current Assets</b>		<b>2,185,020</b>	<b>482,206</b>
<i>Non-Current Assets</i>			
Receivables	<a href="#">5.1</a>	58,268	-
Amounts receivable for services	<a href="#">5.2</a>	64,000	58,000
Property, plant and equipment	<a href="#">4.1(a)</a>	1,714	3,424
<b>Total Non-Current Assets</b>		<b>123,982</b>	<b>61,424</b>
<b>Total Assets</b>		<b>2,309,002</b>	<b>543,630</b>
<b>Liabilities</b>			
<i>Current Liabilities</i>			
Payables	<a href="#">5.4</a>	95,441	60,676
Employee related provisions	<a href="#">2.1(b)</a>	516,078	417,760
<b>Total Current Liabilities</b>		<b>611,519</b>	<b>478,436</b>
<i>Non-Current Liabilities</i>			
Employee related provisions	<a href="#">2.1(b)</a>	69,065	47,661
<b>Total Non-Current Liabilities</b>		<b>69,065</b>	<b>47,661</b>
<b>Total Liabilities</b>		<b>680,584</b>	<b>526,097</b>
<b>Net Assets</b>		<b>1,628,419</b>	<b>17,533</b>

	Note	2024 \$	2023 \$
<b>Equity</b>			
Contributed equity		1,483,000	37,000
Accumulated surplus/(deficit)		145,419	(19,467)
<b>Total Equity</b>		<b>1,628,419</b>	<b>17,533</b>

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

## Statement of Changes in Equity – 30 June 2024

	Contributed Equity \$	Accumulated Surplus/ (deficit) \$	Total Equity \$
<b>Balance at 1 July 2022</b>	37,000	350,915	387,915
Surplus/(deficit)	-	(370,382)	(370,382)
Other comprehensive income	-	-	-
Total comprehensive income for the period	-	(370,382)	(370,382)
<b>Balance at 30 June 2023</b>	<b>37,000</b>	<b>(19,467)</b>	<b>17,533</b>
<b>Balance at 1 July 2023</b>	37,000	(19,467)	17,533
Surplus/(deficit)	-	164,886	164,886
Other comprehensive income	-	-	-
Total comprehensive income for the period	-	164,886	164,886
Transactions with owners in their capacity as owners:			
Capital appropriations	1,446,000	-	1,446,000
Total	1,446,000	-	1,446,000
<b>Balance at 30 June 2024</b>	<b>1,483,000</b>	<b>145,419</b>	<b>1,628,419</b>

## Statement of Cash Flows – 30 June 2024

	Note	2024 \$	2023 \$
<b>Cash Flows from State Government</b>			
Service appropriation		3,276,000	2,384,000
Capital appropriation		1,446,000	-
<b>Net cash provided by State Government</b>		<b>4,722,000</b>	<b>2,384,000</b>
<i>Utilised as follows:</i>			
<b>Cash Flows from Operating Activities</b>			
<i>Payments</i>			
Employee benefits		(2,358,789)	(1,899,562)
Supplies and services		(294,716)	(556,904)
Accommodation		(201,222)	(201,222)
GST payments on purchases		(65,823)	(87,818)
Other payments		(174,867)	(134,362)
<i>Receipts</i>			
Commonwealth contributions		33,707	78,243
GST receipts on sales		3,944	191
GST receipts from taxation authority		71,499	85,303
Other receipts		33,165	1
<b>Net cash provided by/(used in) operating activities</b>		<b>(2,953,102)</b>	<b>(2,716,130)</b>
<i>Payments</i>			
Payment to accrued salaries account		(19,775)	-
<b>Net cash provided by/(used in) financing activities</b>		<b>(19,775)</b>	<b>-</b>
Net increase/(decrease) in cash and cash equivalents		1,749,123	(332,130)
Cash and cash equivalents at the beginning of the period		438,545	770,675
Adjustment for the reclassification of accrued salaries account		(38,493)	-
<b>Cash and cash equivalents at the end of the period</b>	<a href="#">6.1</a>	<b>2,149,175</b>	<b>438,545</b>

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



## Note 1. Basis of Preparation

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

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

These annual financial statements were authorised for issue by the Commissioner on 16 September 2024.

### Statement of compliance

These general-purpose financial statements comply with Australian Accounting Standards – Simplified Disclosures. The general-purpose financial statements have been prepared in accordance with Australian Accounting Standards, the Framework, Statement of Accounting Concepts and other authoritative pronouncements of the Australian Accounting Standards Board as applied by Treasurer's instructions. Several of these are modified by Treasurer's instructions to vary application, disclosure, format and wording.

The Act and Treasurer's instructions are legislative provisions governing the preparation of financial statements and take precedence over Australian Accounting Standards, the Framework, Statement of Accounting Concepts and other authoritative pronouncements of the Australian Accounting Standards Board.

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.

### Accounting for Goods and Services Tax (GST)

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

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

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

### Comparative information

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

- Property, Plant and Equipment reconciliations

### Judgements and estimates

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

### *Note 2. Use of our funding*

#### Expenses incurred in the delivery of services

This section provides additional information about how the OIC's funding is applied and the accounting policies that are relevant for an understanding of the items recognised in the financial statements.

The primary expenses incurred by the OIC in achieving its objectives and the relevant notes are:

	<b>Notes</b>
Employee benefits expense	<a href="#">2.1(a)</a>
Employee related provisions	<a href="#">2.1(b)</a>
Other expenditure	<a href="#">2.2</a>

### *Note 2.1(a) Employee benefits expense*

	2024	2023
	\$	\$
Employee benefits	2,207,590	1,785,394
Termination benefits	49,870	-
Superannuation – defined contribution plans	232,642	179,122
<b>Total employee benefits expenses</b>	<b>2,490,102</b>	<b>1,964,516</b>

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

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

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

### Note 2.1(b) Employee related provisions

	2024 \$	2023 \$
<b>Current</b>		
<i>Employee benefits provision</i>		
Annual leave	212,125	159,875
Long service leave	268,147	255,996
	<b>480,272</b>	<b>415,871</b>
<i>Other provisions</i>		
Employment on-costs	35,806	1,889
<b>Total current employee related provisions</b>	<b>516,078</b>	<b>417,760</b>

	2024 \$	2023 \$
<b>Non-current</b>		
<i>Employee benefits provision</i>		
Long service leave	64,198	47,448
	<b>64,198</b>	<b>47,448</b>
<i>Other provisions</i>		
Employment on-costs	4,867	213
<b>Total non-current employee related provisions</b>	<b>69,065</b>	<b>47,661</b>
<b>Total employee related provisions</b>	<b>585,143</b>	<b>465,421</b>

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

**Annual leave liabilities** are classified as current as there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period.

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

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

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

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

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

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

	2024 \$	2023 \$
<i>Employment on-cost provision</i>		
Carrying amount at start of period	2,102	1,855
Additional/(reversals of) provisions recognised	38,571	247
<b>Carrying amount at the end of the period</b>	<b>40,673</b>	<b>2,102</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 2.2 Other expenditure**

	2024 \$	2023 \$
<i>Supplies and services</i>		
Goods and supplies	80,523	37,286
Services and contracts	268,641	523,288
<b>Total supplies and services expenses</b>	<b>349,164</b>	<b>560,574</b>
<i>Accommodation expenses</i>		
Office rental	201,222	201,222
<b>Total accommodation expense</b>	<b>201,222</b>	<b>201,222</b>
<i>Other</i>		
Communications	2,180	2,068
Printing and binding	6,236	2,731
Electricity	3,663	6,210
Insurance	17,672	16,871
Repairs and maintenance	17,935	-
Travel and accommodation	7,224	25,347
Professional development	5,518	17,234
Audit fees	30,250	34,200
Employment on-costs	39,165	247
Conference hire costs	38,742	6,818
Research	2,986	22,577
Other	3,296	68
<b>Total other expenses</b>	<b>174,867</b>	<b>134,371</b>
<b>Total other expenditure</b>	<b>725,253</b>	<b>896,167</b>

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

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

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

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

**Note 3. Our Funding Sources****How we obtain our funding**

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

	Notes
Income from State Government	<a href="#">3.1</a>
Commonwealth contributions	<a href="#">3.2</a>

### Note 3.1 Income from State Government

	2024 \$	2023 \$
<i>Appropriation received during the period:</i>		
Service appropriation	2,976,000	2,110,000
Service appropriations - Other Statutes	306,000	280,000
<b>Total appropriation received during the period</b>	<b>3,282,000</b>	<b>2,390,000</b>
<i>Resources received from other public sector entities during the period:</i>		
<u>Services received free of charge</u>		
Department of Finance - Building Management and Works	13,328	13,145
State Solicitor's Office	19,751	10,622
<b>Total resources received from other public sector entities</b>	<b>33,079</b>	<b>23,767</b>
<b>Total income from State Government</b>	<b>3,315,079</b>	<b>2,413,767</b>

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

**Resources received from other public sector entities** is recognised as income equivalent to the fair value of the assets received, or the fair value of services received that can be reliably determined and which would have been purchased if not donated.

### Summary of consolidated account appropriations for the year ended 30 June 2024

	2024				
	Budget	Supplementary Funding	Revised Budget	Actual	Variance
	\$'000				
<i>Delivery of services</i>					
Item 12 Net amount appropriated to deliver services	2,830	146	2,976	2,976	-
<i>Amount Authorised by Other Statutes</i>					
<i>Freedom of Information Act 1992</i>	281	25	306	306	-
<b>Total appropriations to deliver services</b>	<b>3,111</b>	<b>171</b>	<b>3,282</b>	<b>3,282</b>	<b>-</b>

Funding was provided in 2023/24 to increase staff resources for additional FTEs and reclassification of existing positions.

**Note 3.2 Commonwealth contributions**

	2024	2023
	\$	\$
Other income	3,657	11,374
Commonwealth funding for Indian Ocean Territories <sup>(a)</sup>	30,050	66,869
<b>Total contributions</b>	<b>33,707</b>	<b>78,243</b>

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

Grants and contributions are recognised at fair value when the OIC obtains control over the assets comprising the contributions, usually when cash is received.

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

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

	Notes	2024	2023
		\$	\$
Property, plant and equipment	<a href="#">4.1</a>	1,714	3,424
<b>Total key assets</b>		<b>1,714</b>	<b>3,424</b>

**Note 4.1(a) Property, plant and equipment**

	2024	2023
	\$	\$
<i>OIC equipment and computers</i>		
At cost	40,949	40,949
Accumulated depreciation	(39,235)	(37,525)
	<b>1,714</b>	<b>3,424</b>

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

**Office equipment****1 July 2023**

Gross carrying amount	40,949
Accumulated depreciation	(37,525)

**Carrying amount at the start of the period** **3,424**

Additions	-
Depreciation	(1,710)

**Carrying amount at the end of the period** **1,714**

Gross carrying amount	40,949
Accumulated depreciation	(39,235)

**Initial recognition**

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

Items of property, plant and equipment costing less than \$5,000 are immediately expensed direct to the Statement of Comprehensive Income (other than where they form part of a group of similar items which are significant in total).

### Subsequent measurement

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

### Useful lives

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

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

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

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

### Impairment

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

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

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

### **Note 5. Other assets and liabilities**

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

	<b>Notes</b>
Receivables	<a href="#">5.1</a>
Amounts receivable for services	<a href="#">5.2</a>
Other assets	<a href="#">5.3</a>
Payables	<a href="#">5.4</a>



## Note 5.1 Receivables

	2024 \$	2023 \$
<i>Current</i>		
Trade receivables	-	1,304
GST receivable	11,214	21,025
<b>Total current</b>	<b>11,214</b>	<b>22,329</b>
<i>Non-current</i>		
Accrued salaries suspense account <sup>(a)</sup>	58,268	-
<b>Total non-current</b>	<b>58,268</b>	-
<b>Total receivables at the end of the period</b>	<b>69,482</b>	<b>22,329</b>

(a) Funds transferred to Treasury for the purpose of meeting the 27<sup>th</sup> pay in a reporting period that generally occurs every 11 years. This account is classified as non-current except for the year before the 27<sup>th</sup> pay year.

**Trade receivables** are initially recognised at their transaction price or, for those receivables that contain a significant financing component, at fair value.

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

The OIC recognises a loss allowance for expected credit losses (**ECLs**) on a receivable not held at fair value through profit or loss. The ECLs are based on the difference between the contractual cash flows and the cash flows that the entity expects to receive, discounted at the original effective interest rate. Individual receivables are written off when the OIC has

no reasonable expectations of recovering the contractual cash flows.

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

Accrued salaries account contains amounts paid annually into the Treasurer's special purpose account. It is restricted for meeting 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.

The account has been reclassified from 'Cash and cash equivalents' to 'Receivables' as it is considered that funds in the account are not cash but a right to receive the cash in future. Comparative amounts have not been reclassified.

## Note 5.2 Amounts receivable for services (Holding Account)

	2024 \$	2023 \$
Non-current	64,000	58,000
<b>Total amounts receivable for services at end of period</b>	<b>64,000</b>	<b>58,000</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 or payment of leave liability.

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

### Note 5.3 Other assets

	2024 \$	2023 \$
<i>Current</i>		
Prepayments	24,631	21,332
<b>Total amounts receivable for services at end of period</b>	<b>24,631</b>	<b>21,332</b>

**Prepayments** represent payments in advance of receipt of goods or services, or that part of expenditure made in one accounting period covering a term extending beyond that period.

### Note 5.4 Payables

	2024 \$	2023 \$
<i>Current</i>		
Trade payables	40,946	17,581
GST payable	-	191
Accrued salaries	54,495	42,904
<b>Total payables at end of period</b>	<b>95,441</b>	<b>60,676</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 15 to 20 days.

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

### Note 6. Financing

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

#### Notes

Cash and cash equivalents [6.1](#)

### Note 6.1 Cash and cash equivalents

	2024 \$	2023 \$
Cash and cash equivalents	2,149,175	400,052
Restricted cash and cash equivalents	-	38,493
<b>Balance at the end of the period</b>	<b>2,149,175</b>	<b>438,545</b>

#### Restricted cash and cash equivalents

	2024 \$	2023 \$
<i>Non-current</i>		
Accrued salaries suspense account <sup>(a)</sup>	-	38,493
	-	<b>38,493</b>

(a) Funds held in the account for the purpose of meeting the 27<sup>th</sup> pay. The account has been reclassified to Receivables in the current year.

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

### Note 7. Financial instruments and contingencies

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

	Notes
Financial instruments	<a href="#">7.1</a>
Contingent assets and liabilities	<a href="#">7.2</a>

### Note 7.1 Financial Instruments

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

	2024 \$	2023 \$
<i>Financial assets</i>		
Cash and cash equivalents	2,149,175	438,545
Financial assets at amortised cost <sup>(a)</sup>	64,000	58,000
<b>Total financial assets</b>	<b>2,213,175</b>	<b>496,545</b>
<i>Financial liabilities</i>		
Financial liabilities at amortised cost <sup>(b)</sup>	95,441	60,676
<b>Total financial liability</b>	<b>95,441</b>	<b>60,676</b>

(a) The amount of financial assets at amortised cost excludes GST recoverable from the ATO (statutory receivable).

(b) The amount of financial liabilities at amortised cost excludes GST payable to the ATO (statutory payable).

### Note 7.2 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the Statement of Financial Position but are disclosed and, if quantifiable, are measured at the best estimate.

The OIC had no contingent liabilities or contingent assets as of 30 June 2024 (30 June 2023: Nil).

### Note 8. Other disclosures

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

	Notes
Events occurring after the end of the reporting period	<a href="#">8.1</a>
Correction of period errors/changes in accounting policies	<a href="#">8.2</a>
Key management personnel	<a href="#">8.3</a>
Related party transactions	<a href="#">8.4</a>
Related bodies	<a href="#">8.5</a>
Affiliated bodies	<a href="#">8.6</a>
Special purpose accounts	<a href="#">8.7</a>
Remuneration of auditors	<a href="#">8.8</a>
Non-current assets held for sale	<a href="#">8.9</a>
Supplementary financial information	<a href="#">8.10</a>
Special category funding	<a href="#">8.11</a>

**Note 8.1 Events occurring after the end of the reporting period**

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

**Note 8.2 Changes in accounting policy**

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

**Note 8.3 Key management personnel**

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

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

Compensation Band (\$)	2024	2023
\$200,000 - \$250,000	1	-
\$250,001 - \$300,000	1	-
\$300,001 - \$350,000	-	1
\$350,001 - \$400,000	1	-
	3	1
	2024	2023
	\$	\$
<b>Total compensation of senior officers</b>	<b>705,697</b>	<b>346,818</b>

**Note 8.4 Related party transactions**

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

Related parties of the OIC include:

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

**Material transactions with related parties**

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

**Note 8.5 Related bodies**

The OIC has no related bodies.

**Note 8.6 Affiliated bodies**

The OIC has no affiliated bodies.

**Note 8.7 Special purpose accounts**

The OIC has no special purpose accounts.

**Note 8.8 Remuneration of auditors**

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

	2024 \$	2023 \$
Auditing of accounts, financial statements and performance indicators	33,300	30,250
	<b>33,300</b>	<b>30,250</b>

**Note 8.9 Non-current assets held for sale**

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

**Note 8.10 Supplementary financial information****(a) Write-offs**

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

**(b) Losses through theft, defaults and other causes**

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

**(c) Forgiveness of debts**

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

**(d) Gifts of public property**

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

**Note 8.11 Special category funding**

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

	2024 \$	2023 \$
Balance at the start of the period	16,398	-
Receipt from the Commonwealth	30,050	66,869
Expenditure	(14,250)	(50,471)
<b>Balance at end of period</b>	<b>32,198</b>	<b>16,398</b>

**Note 9 Explanatory statement**

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

	Notes
Explanatory Statement for Controlled Operations	<a href="#">9.1</a>

## 9.1 Explanatory statement for controlled operations

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

All variances between annual estimates (original budget) and actual results for 2024, and between the actual results for 2024 and 2023 are shown below. Narratives are provided for major variances which are more than 10% of the comparative and which are more than 1% of the following:

- Total Cost of Services for the Statement of comprehensive income and Statement of cash flows ( >\$32,171): and
- Total Assets for the Statement of financial position (>\$23,010).

*(See following pages)*

### 9.1.1 Statement of comprehensive income variances

	Variance Note	Estimate 2024	Actual 2024	Actual 2023	Variance between estimate and actual	Variance between actual results for 2024 and 2023
		\$	\$	\$	\$	\$
<i>Expenses</i>						
Employee benefits expense	1	2,418,000	2,490,102	1,964,516	72,102	525,586
Supplies and services	2	335,000	349,164	560,574	14,164	(211,410)
Accommodation expenses		228,000	201,222	201,222	(26,778)	0
Depreciation expense		6,000	1,710	1,710	(4,290)	(0)
Other expenses	A, 3	238,000	174,867	134,371	(63,133)	40,496
<b>Total cost of services</b>		<b>3,225,000</b>	<b>3,217,065</b>	<b>2,862,393</b>	<b>(7,935)</b>	<b>354,672</b>
<i>Income</i>						
Commonwealth grants and contributions	B, 4	-	33,707	78,243	33,707	(44,536)
Other income	5	4,000	33,165	1	29,165	33,164
<b>Total income</b>		<b>4,000</b>	<b>66,872</b>	<b>78,244</b>	<b>62,872</b>	<b>(11,372)</b>
<b>Total income other than income from State Government</b>		<b>4,000</b>	<b>66,872</b>	<b>78,244</b>	<b>62,872</b>	<b>(11,372)</b>
<b>Net cost of services</b>		<b>3,221,000</b>	<b>3,150,193</b>	<b>2,784,149</b>	<b>(70,807)</b>	<b>366,044</b>
<u>Income from State Government</u>						
Service appropriation	6	3,111,000	3,282,000	2,390,000	171,000	892,000
Resources received free of charge	C	110,000	33,079	23,767	(76,921)	9,312
<b>Total income from State Government</b>		<b>3,221,000</b>	<b>3,315,079</b>	<b>2,413,767</b>	<b>94,079</b>	<b>901,312</b>
<b>Surplus/(deficit) for the period</b>		<b>-</b>	<b>164,886</b>	<b>(370,382)</b>	<b>164,886</b>	<b>535,268</b>
<b>Other comprehensive income</b>						
Total other comprehensive income		-	-	-	-	-
<b>Total comprehensive income for the period</b>		<b>-</b>	<b>164,886</b>	<b>(370,382)</b>	<b>164,886</b>	<b>535,268</b>

**Major Estimate and Actual (2024) Variance Narratives**

- A) The budget for other expenses increased by \$65,000 this year as a result of the additional staff resources received, which includes expenses for insurance and other indirect staff costs. The full year impact of the additional FTEs was not realised.
- B) Commonwealth grants and contributions relate to funds received to provide services to the Indian Ocean Territories and funds received for Commonwealth paid parental leave, which was not included as budgeted item for 2023/24.
- C) The charges imposed for resources received free of charge have reduced in the last three years.

**Major Actual (2024) and Comparative (2023) Variance Narratives**

- 1) The variance in employee expenses is a result of an approved increase in staff resources for additional FTEs and reclassification of existing positions.
- 2) The variance in supplies and services is the result of a significant reduction in the use of consultants and labour hire from the previous year.
- 3) The increase in other expenses from the previous year is mainly due to additional costs for the FOI in WA Conference held in November 2023, and an increase in employee provisions.

- 4) The variance in Commonwealth grants and contributions is due to: (a) a reduction to the funds received to provide services to the Indian Ocean Territories following an underspend in 2022/23; and (b) a reduction in the amount of Commonwealth paid parental leave paid during the year.
- 5) The variance in other income relates to ticket sales from the FOI in WA Conference the OIC facilitated in November 2023. Previous conferences were held in 2019 and 2017.
- 6) The variance in service appropriations is due to an approved increase in appropriations (\$739,000) to increase staff resources.



### 9.1.2 Statement of financial position variances

	Variance Note	Estimate 2024	Actual 2024	Actual 2023	Variance between estimate and actual	Variance between actual results for 2024 and 2023
		\$	\$	\$	\$	\$
<i>Assets</i>						
<u>Current Assets</u>						
Cash and cash equivalents		717,000	2,149,175	400,052	1,432,175	1,749,123
Receivables		19,000	11,214	22,329	(7,786)	(11,115)
Other Current Assets		8,000	24,631	21,332	16,631	3,299
<b>Total Current Assets</b>		<b>744,000</b>	<b>2,185,020</b>	<b>443,713</b>	<b>1,441,021</b>	<b>1,741,308</b>
<u>Non-Current Assets</u>						
Restricted cash and cash equivalents		32,000	-	38,493	(32,000)	(38,493)
Receivables		-	58,268	-	58,268	58,268
Amounts receivable for services		64,000	64,000	58,000	-	6,000
Property, Plant and Equipment		1,461,000	1,714	3,424	(1,459,286)	(1,710)
<b>Total non-current assets</b>	D	<b>1,557,000</b>	<b>123,982</b>	<b>99,917</b>	<b>(1,433,018)</b>	<b>24,065</b>
<b>Total assets</b>		<b>2,301,000</b>	<b>2,309,002</b>	<b>543,630</b>	<b>8,003</b>	<b>1,765,373</b>
<i>Liabilities</i>						
<u>Current Liabilities</u>						
Payables		24,000	95,441	60,676	71,441	34,765
Provisions	E, 7	408,000	516,078	417,760	108,078	98,318
<b>Total Current Liabilities</b>		<b>432,000</b>	<b>611,519</b>	<b>478,436</b>	<b>179,519</b>	<b>133,083</b>
<u>Non-Current Liabilities</u>						
Employee related provisions	F	35,000	69,065	47,661	34,065	21,404
<b>Total Non-Current Liabilities</b>		<b>35,000</b>	<b>69,065</b>	<b>47,661</b>	<b>34,065</b>	<b>21,404</b>
<b>Total liabilities</b>		<b>467,000</b>	<b>680,584</b>	<b>526,097</b>	<b>213,584</b>	<b>154,487</b>
<b>Net assets/(liabilities)</b>		<b>1,834,000</b>	<b>1,628,419</b>	<b>17,533</b>	<b>(205,580)</b>	<b>1,610,887</b>

	Variance Note	Estimate 2024	Actual 2024	Actual 2023	Variance between estimate and actual	Variance between actual results for 2024 and 2023
		\$	\$	\$	\$	\$
<u>Equity</u>						
Contributed equity		1,483,000	1,483,000	37,000	-	1,446,000
Accumulated surplus/(deficiency)		351,000	145,419	(19,467)	205,581	164,886
<b>Total equity</b>		<b>1,834,000</b>	<b>1,628,419</b>	<b>17,533</b>	<b>205,581</b>	<b>1,610,886</b>

#### Major Estimate and Actual (2024) Variance Narratives

- D) The variance in property, plant and equipment relates to funds received through the Digital Capability Fund to replace the OIC's case management and electronic document records management systems.
- E) The variance in provisions is due to an increase in current leave liabilities and employee oncosts.
- F) The variance in employee provisions is due to an increase in FTEs, the average salary and average long service leave accrual.

#### Major Actual (2024) and Comparative (2023) Variance Narratives

- 7) The variance in provisions is due to an increase in FTEs, the average salary and average long service leave accrual.

### 9.1.3 Statement of cash flow variances

	Variance Note	Estimate 2024	Actual 2024	Actual 2023	Variance between estimate and actual	Variance between actual results for 2024 and 2023
		\$	\$	\$	\$	\$
<b>Cash flows from State Government</b>						
Service appropriation	8	3,105,000	3,276,000	2,384,000	(171,000)	892,000
Capital appropriation	G, 9	-	1,446,000	-	(1,446,000)	1,446,000
Holding account drawdowns		-	-	-	-	-
<b>Net cash provided by State Government</b>		<b>3,105,000</b>	<b>4,722,000</b>	<b>2,384,000</b>	<b>(1,617,000)</b>	<b>2,338,000</b>
<i>Cash flows from operating activities</i>						
<u>Payments</u>						
Employee benefits	10	(2,418,000)	(2,358,789)	(1,899,562)	(59,211)	(459,227)
Services and supplies	11	(315,000)	(294,716)	(556,904)	(20,284)	262,188
Accommodation		(228,000)	(201,222)	(201,222)	(26,778)	(0)
GST payments on purchases	H	(30,000)	(65,823)	(87,818)	35,823	21,995
Other payments	12	(166,000)	(174,867)	(134,362)	8,867	(40,505)
<u>Receipts</u>						
Commonwealth grants and contributions	I, 13	-	33,707	78,243	(33,707)	(44,536)
GST receipts on sales		-	3,944	191	(3,944)	3,753
GST receipts from taxation authority		48,000	71,499	85,303	(23,499)	(13,804)
Other revenue	14	4,000	33,165	1	(29,165)	33,164
<b>Net cash provided by/(used in) operating activities</b>		<b>(3,105,000)</b>	<b>(2,953,102)</b>	<b>(2,716,130)</b>	<b>(151,898)</b>	<b>(236,972)</b>
<i>Cash flows from investing activities</i>						
<u>Payments</u>						
Purchase of non-current assets	J	(1,446,000)	-	-	(1,446,000)	-

	Variance Note	Estimate 2024	Actual 2024	Actual 2023	Variance between estimate and actual	Variance between actual results for 2024 and 2023
		\$	\$	\$	\$	\$
<b>Receipts</b>						
Proceeds from sale of non-current physical assets		-	-	-	-	-
<b>Net cash provided by/(used in) investing activities</b>		<b>(1,446,000)</b>	-	-	<b>(1,446,000)</b>	-
<i>Cash flows from financing activities</i>						
<b>Payments</b>						
Payment to accrued salaries account		-	(19,775)	-	19,775	(19,775)
<b>Net cash provided by/(used in) financing activities</b>		-	<b>(19,775)</b>	-	<b>19,775</b>	<b>(19,775)</b>
Net increase/(decrease) in cash and cash equivalents		-	1,749,123	(332,130)	(3,195,123)	2,081,253
Cash and cash equivalents at the beginning of the period		749,000	438,545	770,675	310,455	(332,130)
Adjustment for the reclassification of accrued salaries account		-	(38,493)	-	38,493	(38,493)
<b>Cash and cash equivalents at the end of the period</b>		<b>749,000</b>	<b>2,149,175</b>	<b>438,545</b>	<b>(2,846,175)</b>	<b>1,710,630</b>

**Major Estimate and Actual (2024) Variance Narratives**

- G) The variance in capital appropriation relates to funds received through the Digital Capability Fund to replace the OIC's case management and electronic document records management systems.
- H) The variance in GST payments is a result of more than estimated payables during the year.
- I) Commonwealth grants and contributions relates to funds received to provide services to the Indian Ocean Territories and funds received for Commonwealth paid parental leave, which was not included as budgeted item for 2023/24.
- J) The variance relates to funds received through the Digital Capability Fund to replace the OIC's case management and electronic document records management systems that is ongoing.

**Major Actual (2024) and Comparative (2023) Variance Narratives**

- 8) The variance in service appropriation is due to an approved increase in appropriations (\$739,000) to increase staff resources.
- 9) The variance in capital appropriation relates to funds received through the Digital Capability Fund to replace the OIC's case management and electronic document records management systems.

- 10) The variance in employee benefits is a result of an approved increase in staff resources for additional FTEs and reclassification of existing positions.
- 11) The variance in services and supplies is the result of a significant reduction in the use of consultants and labour hire from the previous year.
- 12) The increase in other payments from the previous year is mainly due to additional costs for the FOI in WA Conference held in November 2023, and an increase in employee provisions.
- 13) Commonwealth grants and contributions relates to funds received to provide services to the Indian Ocean Territories and funds received for Commonwealth paid parental leave, which was not included as budgeted item for 2023/24.
- 14) The variance in other revenue relates to ticket sales from the FOI in WA Conference the OIC facilitated in November 2023. Previous conferences were held in 2019 and 2017.

## OIC Statistics

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

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

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

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

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

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

Applications received and dealt with by the Commissioner	Received	Dealt with
External review applications – valid	156	134
External review applications – informal / invalid	15	17
Section 66(6) applications – no internal review	11	12
Section 66(4) applications – out of time	7	7
Section 13(5) applications – extension of time	0	0
Section 13(4) applications – reduction of time	1	1
section 13(7) applications - extension of time	0	0
Section 35(1) – waiver of requirement to consult	2	1
Section 48(3) – request for destruction certificate	0	0
<b>TOTAL</b>	<b>192</b>	<b>172</b>

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

Applicant group	No.	Agency group	No.
Individual citizen	125	Department (ex. Police & Health)	54
Company	12	Local Government	33
Not-for-profit	9	Police	18
Media	5	Health related	13
Prisoner	4	Board, Committee, Commission, Authority, Corporation	27
Member of Parliament	1	University	2
Government agency	0	Minister	9
		Other	0
<b>TOTAL</b>	<b>156</b>	<b>TOTAL</b>	<b>156</b>

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

AGENCY	VALID	INVALID	TOTAL
<b>State Agencies</b>			
Acacia Prison	2		2
Biodiversity, Conservation and Attractions, Department of	1		1
Child and Adolescent Health Service	1		1
Communities, Department of	2	1	3
Curtin University	1		1
Edith Cowan University	1		1
Education, Department of	5	1	6
Energy, Mines, Industry Regulation and Safety, Department of	6		6
Fire and Emergency Services, Department of	4		4
Health, Department of	1		1
Justice, Department of	11	3	14
Legal Aid Western Australia	0	1	1
Local Government, Sport and Cultural Industries, Department of	3	1	4
Main Roads Western Australia	3		3
Metropolitan Cemeteries Board	8		8
Mines, Industry Regulation and Safety, Department of	3		3
NMHS - Mental Health	1		1
NMHS - Sir Charles Gairdner Hospital	5		5
North Metropolitan TAFE	1		1



AGENCY	VALID	INVALID	TOTAL
Office of the Public Advocate	1		1
PathWest Laboratory Medicine WA	1		1
Planning, Lands and Heritage, Department of	2	2	4
Police Force, Western Australia	18	3	21
Public Transport Authority	1		1
Small Business Development Corporation	1		1
SMHS - Fiona Stanley Fremantle Hospitals Group	1		1
State Administrative Tribunal	2		2
State Solicitor's Office	1		1
The Legal Practice Board of WA	3		3
Premier and Cabinet, Department of the	6		6
University of Western Australia, The	0	1	1
Transport, Department of	4		4
WACHS - Central Office	1		1
WACHS - Midwest	2		2
Water and Environmental Regulation, Department of	2		2
Water Corporation	8		8
WorkCover Western Australia Authority (WorkCover WA)	1		1
	<i>114</i>	<i>13</i>	<i>127</i>
<i>Sub-total: State Agencies</i>			
<b>Local Governments</b>			
Albany, City of	1		1
Augusta-Margaret River, Shire of	1		1
Bayswater, City of	1		1

AGENCY	VALID	INVALID	TOTAL
Cambridge, Town of	2		2
Canning, City of	1		1
Claremont, Town of	1		1
Cockburn, City of	1		1
Dardanup, Shire of	1		1
Gingin, Shire of	1		1
Gosnells, City of	1		1
Karratha, City of	1		1
Mandurah, City of	0	1	1
Melville, City of	7		7
Mosman Park, Town of	3		3
Nedlands, City of	1		1
Serpentine Jarrahdale, Shire of	1		1
Stirling, City of	3		3
Subiaco, City of	1		1
Swan, City of	1		1
Vincent, City of	2		2
Wanneroo, City of	2		2
	<i>Sub-total: Local Government Agencies</i>	<i>1</i>	<i>34</i>
<b>Ministers</b>			
Attorney General	2		2
Emergency Services, Minister for	1		1
Energy; Environment; Climate Action, Minister for	2		2

AGENCY	VALID	INVALID	TOTAL
Local Government, Minister for	1		1
Minister for Transport; Tourism Deputy Premier; Treasurer;	2		2
Police; Corrective Services; Racing and Gaming; Defence Industry; Veterans Issues, Minister for	1		1
<i>Sub-total: Ministers</i>	<i>9</i>	<i>0</i>	<i>9</i>
<b>Agency status unconfirmed</b>			
Other	0	1	1
<i>Sub-total: Agency status unconfirmed</i>	<i>0</i>	<i>1</i>	<i>1</i>
<b>TOTAL</b>	<b>156</b>	<b>15</b>	<b>171</b>

**Table 4: Invalid applications for external review finalised**

AGENCY	No.
<b>State Agencies</b>	
Communities, Department of	1
Education, Department of	1
Justice, Department of	3
Legal Aid Western Australia	1
Local Government, Sport and Cultural Industries, Department of	1
NMHS - Corporate Office	1
Planning, Lands and Heritage, Department of	2
Police Force, Western Australia	3
University of Western Australia, The	1
<i>Sub-total: State Agencies</i>	<i>14</i>
<b>Local Governments</b>	
Mandurah, City of	1
Melville, City of	1
<i>Sub-total: Local Governments</i>	<i>2</i>
<b>Agency status unconfirmed</b>	
Other	1
<i>Sub-total: Agency status unconfirmed</i>	<i>1</i>
<b>TOTAL</b>	<b>17</b>

**Table 5: Other applications received under the FOI Act**

AGENCY	OUT OF TIME	NO INTERNAL REVIEW	REDUCTION OF TIME	WAIVER	TOTAL
	s.66(4)	s.66(6)	s.13(4)	s35(1)	
Albany, City of		1			1
Cambridge, Town of		1			1
Education, Department of		1	1		2
Justice, Department of		2			2
Melville, City of	1				1
Metropolitan Cemeteries Board		2			2
Nedlands, City of	1				1
North Regional TAFE				1	1
Notre Dame University (status to be confirmed)	1				1
Planning, Lands and Heritage, Department of	2				2
Police Force, Western Australia	1	2			3
Salaries and Allowances Tribunal				1	1
Swan, City of		1			1
Wanneroo, City of	1				1
Western Power		1			1
<b>TOTAL</b>	<b>7</b>	<b>11</b>	<b>1</b>	<b>2</b>	<b>21</b>

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

**Table 6: Outcome of external reviews finalised (by agency and category)**

AGENCY	CONCILIATED	PUBLISHED DECISION UNDER SECTION 76			DECISION UNDER s.67(1)(a)	DECISION UNDER s.67(1)(b)	TOTAL MATTERS FINALISED
		AGENCY DECISION:					
		CONFIRMED	VARIED	SET ASIDE AND SUBSTITUTED			
<b>State Agencies</b>							
Acacia Prison	1	0	0	0	0	0	1
Biodiversity, Conservation and Attractions, Department of	0	1	0	0	0	0	1
DevelopmentWA	2	0	0	0	0	0	2
Edith Cowan University	1	0	0	0	0	0	1
Education, Department of	6	0	0	0	0	0	6
Electoral Commission, Western Australian	1	0	0	0	0	0	1
EMHS - Corporate Office	1	0	0	0	0	0	1
Energy, Mines, Industry Regulation and Safety, Department of	1	0	0	0	0	0	1
Fire and Emergency Services, Department of	1	0	0	0	0	1	2
Forest Products Commission	0	1	0	0	0	0	1
Health and Disability Services Complaints Office	1	0	0	0	0	0	1
Health, Department of	0	0	0	0	0	1	1
Jobs, Tourism, Science and Innovation, Department of	0	1	0	0	0	0	1
Justice, Department of	5	0	0	0	3	0	8
Local Government Standards Panel	0	1	0	0	0	0	1

AGENCY	CONCILIATED	PUBLISHED DECISION UNDER SECTION 76			DECISION UNDER s.67(1)(a)	DECISION UNDER s.67(1)(b)	TOTAL MATTERS FINALISED
		AGENCY DECISION:					
		CONFIRMED	VARIED	SET ASIDE AND SUBSTITUTED			
Local Government, Sport and Cultural Industries, Department of	0	1	0	0	0	1	
Main Roads Western Australia	3	0	1	0	0	5	
Mental Health Commission	0	1	0	0	0	1	
Metropolitan Cemeteries Board	3	0	0	0	1	4	
Mines, Industry Regulation and Safety, Department of	4	1	0	1	0	6	
NMHS - Corporate Office	1	0	0	0	1	2	
NMHS - Mental Health	2	0	0	0	0	2	
NMHS - Sir Charles Gairdner Hospital	2	0	0	0	0	2	
North Metropolitan TAFE	0	0	0	0	0	1	
Planning, Lands and Heritage, Department of	1	0	0	0	0	1	
Police Force, Western Australia	12	1	1	0	1	19	
Public Trustee Western Australia	1	0	0	0	0	1	
SMHS - Fiona Stanley Hospital	2	0	0	0	0	2	
State Administrative Tribunal	0	0	0	0	0	1	
Premier and Cabinet, Department of the	1	0	0	0	0	2	
The University of Western Australia	0	0	0	1	0	1	
Tourism Commission, Western Australian	1	0	0	0	0	1	
Transport, Department of	2	0	0	0	0	2	

AGENCY	CONCILIATED	PUBLISHED DECISION UNDER SECTION 76			DECISION UNDER s.67(1)(a)	DECISION UNDER s.67(1)(b)	TOTAL MATTERS FINALISED
		AGENCY DECISION:					
		CONFIRMED	VARIED	SET ASIDE AND SUBSTITUTED			
WACHS - South West	1	0	0	0	0	1	
Water and Environmental Regulation, Department of	0	1	0	0	1	2	
Water Corporation	1	0	0	0	0	1	
WorkCover Western Australia Authority (WorkCover WA)	1	0	0	1	0	2	
<i>Sub-total: State Agencies</i>	<i>58</i>	<i>9</i>	<i>2</i>	<i>3</i>	<i>6</i>	<i>89</i>	
<i>Percentage of agency group/ percentage of total</i>	<i>65.2%</i>	<i>10.1%</i>	<i>2.2%</i>	<i>3.4%</i>	<i>6.7%</i>	<i>100.0%</i>	
<b>Local Government Agencies</b>							
Albany, City of	1	0	0	0	0	1	
Bayswater, City of	4	0	0	0	0	4	
Busselton, City of	0	2	0	0	0	2	
Cambridge, Town of	1	0	0	0	0	1	
Cockburn, City of	1	0	0	0	0	1	
Dardanup, Shire of	2	0	0	0	0	2	
Joondalup, City of	2	0	0	0	1	3	
Kalgoorlie-Boulder, City of	1	0	0	0	0	1	
Melville, City of	4	1	0	0	3	12	
Mosman Park, Town of	1	0	0	0	0	1	
Nedlands, City of	0	0	0	0	1	1	
Rockingham, City of	1	0	0	0	0	1	
Serpentine Jarrahdale, Shire of	1	0	0	0	0	1	



AGENCY	CONCILIATED	PUBLISHED DECISION UNDER SECTION 76			DECISION UNDER s.67(1)(a)	DECISION UNDER s.67(1)(b)	TOTAL MATTERS FINALISED
		AGENCY DECISION:					
		CONFIRMED	VARIED	SET ASIDE AND SUBSTITUTED			
Vincent, City of	1	0	0	0	0	1	
Wanneroo, City of	1	1	0	0	0	2	
Waroona, Shire of	1	0	0	0	0	1	
<i>Sub-total: Local Government Agencies</i>	<i>22</i>	<i>4</i>	<i>0</i>	<i>0</i>	<i>4</i>	<i>5</i>	<i>35</i>
<i>Percentage of agency group/ percentage of total</i>	<i>62.9%</i>	<i>11.4%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>11.4%</i>	<i>14.3%</i>	<i>100.0%</i>
<b>Ministers</b>							
Attorney General	2	0	0	0	0	2	
Education and Training, Minister for	0	0	0	0	0	1	
Electoral Affairs, Minister for	1	0	0	0	0	1	
Emergency Services, Minister for	1	0	0	0	0	1	
Forestry, Minister for	1	0	0	0	0	1	
Lands, Minister for	1	0	0	0	0	1	
Local Government, Minister for	0	1	0	0	0	1	
Mines and Petroleum, Minister for	1	0	0	0	0	1	
Transport, Minister for	1	0	0	0	0	1	
<i>Sub-total: Ministers</i>	<i>8</i>	<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>	<i>10</i>
<i>Percentage of agency group/ percentage of total</i>	<i>80.0%</i>	<i>10.0%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>10.0%</i>	<i>100.0%</i>
<b>TOTAL</b>	<b>88</b>	<b>14</b>	<b>2</b>	<b>3</b>	<b>10</b>	<b>17</b>	<b>134</b>
<b>TOTAL PERCENTAGE</b>	<b>65.7%</b>	<b>10.4%</b>	<b>1.5%</b>	<b>2.2%</b>	<b>7.5%</b>	<b>12.7%</b>	<b>100.0%</b>

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

AGENCY	REDUCTION OF TIME	WAIVER	OUT OF TIME	NO INTERNAL REVIEW		TOTAL
	s.13(4)	35(1)	s.66(4)	s.66(6)		
	Refused	Allowed	Refused	Refused	Withdrawn	
<b>State Agencies</b>						
Education, Department of	1	0	0	1	0	2
Justice, Department of	0	0	0	2	0	2
Metropolitan Cemeteries Board	0	0	2	0	0	2
North Regional TAFE	0	0	0	2	0	2
Notre Dame University (status to be confirmed)	0	1	0	0	0	1
Planning, Lands and Heritage, Department of	0	0	1	0	0	1
Police Force, Western Australia	0	0	1	1	1	3
Western Power	0	0	0	1	0	1
<i>Sub-total: State Agencies</i>	<i>1</i>	<i>1</i>	<i>4</i>	<i>7</i>	<i>1</i>	<i>14</i>
<b>Local Government Agencies</b>						
Albany, City of	0	0	0	1	0	1
Busselton, City of	0	0	0	1	0	1
Cambridge, Town of	0	0	1	0	0	1
Melville, City of	0	0	1	0	0	1
Nedlands, City of	0	0	0	1	0	1
Swan, City of	0	0	1	0	0	1
Wanneroo, City of	0	0	0	1	0	1
<i>Sub-total: Local Government Agencies</i>	<i>0</i>	<i>0</i>	<i>3</i>	<i>4</i>	<i>0</i>	<i>7</i>
<b>TOTAL</b>	<b>1</b>	<b>1</b>	<b>7</b>	<b>11</b>	<b>1</b>	<b>21</b>

There were no requests for a destruction certificate

**Table 8: Published decisions**

Decision no.	Complainant	Agency	Decision date	Source
D0102023	Forrest & Forrest Pty Ltd	Department of Mines, Industry Regulation and Safety	31/08/2023	<a href="#">AustLII</a> <a href="#">PDF</a>
D0112023	McLerie	City of Melville	21/09/2023	<a href="#">AustLII</a> <a href="#">PDF</a>
D0122023	Threadgold	City of Busselton	11/10/2023	<a href="#">AustLII</a> <a href="#">PDF</a>
D0132023	Wren	WorkCover Western Australia Authority	24/10/2023	<a href="#">AustLII</a> <a href="#">PDF</a>
D0142023	Rosser	Department of Mines, Industry Regulation and Safety	26/10/2023	<a href="#">AustLII</a> <a href="#">PDF</a>
D0152023	Standen	Western Australia Police Force	27/10/2023	<a href="#">AustLII</a> <a href="#">PDF</a>
D0162023	Pandevski	Main Roads Western Australia	01/11/2023	<a href="#">AustLII</a> <a href="#">PDF</a>
D0172023	WA Justice Association	Mental Health Commission	30/11/2023	<a href="#">AustLII</a> <a href="#">PDF</a>
D0182023	Alcoa of Australia Limited	Department of Biodiversity, Conservation and Attractions	22/12/2023	<a href="#">AustLII</a> <a href="#">PDF</a>
D0192023	A	Local Government Standards Panel	22/12/2023	<a href="#">AustLII</a> <a href="#">PDF</a>
D0012024	Grainger	Department of Water and Environmental Regulation	31/01/2024	<a href="#">AustLII</a> <a href="#">PDF</a>
D0022024	Macnish	City of Busselton	14/02/2024	<a href="#">AustLII</a> <a href="#">PDF</a>
D0032024	Carrington	Western Australia Police Force	28/02/2024	<a href="#">AustLII</a> <a href="#">PDF</a>
D0042024	Humphreys	Forest Products Commission	26/03/2024	<a href="#">AustLII</a> <a href="#">PDF</a>
D0052024	City of Melville Residents and Ratepayers Association Inc	Minister for Local Government	30/06/2023	<a href="#">AustLII</a> <a href="#">PDF</a>
D0062024	Pearlman	University of Western Australia	28/03/2024	<a href="#">AustLII</a> <a href="#">PDF</a>
D0072024	Central Pilbara North Iron Ore Pty Ltd	Department of Jobs, Tourism, Science and Innovation	05/06/2024	<a href="#">AustLII</a> <a href="#">PDF</a>
D0082024	G	City of Wanneroo	25/06/2024	<a href="#">AustLII</a> <a href="#">PDF</a>
D0092024	City of Melville Residents and Ratepayers Association Inc	Department of Local Government, Sport and Cultural Industries	27/06/2024	<a href="#">AustLII</a> <a href="#">PDF</a>

**Table 9: FOI training and presentations**

Date	Event	Total
<b>Commissioner's Speaking Engagements</b>		
26/07/2023	Celebration of the 30 <sup>th</sup> Anniversary of the FOI Act	70
06/09/2023	Coffee with a CEO	8
29/09/2023	Australasian Study of Parliament Group	121
06/11/2023	John Curtin Institute of Public Policy – Address to Indian Civil Servants	10
10/11/2023	Curtin Law School Governance Event	N/A
12/02/2024	Law Society WA	174
13/02/2024	Public Sector Network	382
09/05/2024	Australian Society of Archivists WA	37
19/06/2024	Launch of the Monash Report	37
<b>Total: Commissioners Speaking Engagements</b>		<b>839</b>
<b>FOI Briefings</b>		
06/09/2023	Electorate officers	7
14/09/2023	UWA Legal Internship Presentation	83
03/10/2024	Public Sector Leadership Council (PSLC)	12
14/02/2024	UWA Tech and Policy Lab Team Meeting	10
17/02/2023	Piddington Society Professional Legal Training	30
19/02/2023	City of Melville Elected Members	19
29/02/2023	FOI Briefing Legal Aid	30
01/03/2024	Local Government Network FOI Briefing	22
05/03/2024	City of Mandurah staff	17
05/03/2024	City of Mandurah Elected Members	17

Date	Event	Total
05/03/2024	Local Government FOI practitioners	12
19/03/2024	Town of Claremont staff	8
05/04/2024	Department of Training and Work Force Development	55
11/04/2024	Department of Local Government, Sport and Cultural Industries	40
<b>Total: FOI Briefings</b>		<b>362</b>
<b>Training at Albert Facey House</b>		
10/07/2023	Decision-writing workshop	12
17/08/2023	Decision-writing workshop	13
21/03/2024	Decision-writing workshop	10
18/04/2024	Decision-writing workshop	19
30/05/2024	FOI Coordinators workshop	15
20/06/2024	Decision-writing workshop	9
<b>Total: Training at Albert Facey House</b>		<b>78</b>
<b>Webinars</b>		
28/09/2023	Wednesday Webinar - Let the sunshine in – a discussion with Emeritus Professor Peter Coaldrake AO to mark International Access to Information Day	21
28/02/2024	Wednesday Webinar – Setting up an access application and your agency’s processes for success	10
27/03/2024	Wednesday Webinar – Up Close and Personal: Considering personal information in three scenarios	18
<b>Total: Webinars</b>		<b>49</b>
<b>Other</b>		
02/11/2023	FOI in WA Conference	301
<b>TOTAL ATTENDEES</b>		<b>1,629</b>

**Table 10: OIC online publications**

Information sheets for members of the public	Source
<a href="#"><u>Amendment of personal information</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>Applying for documents during the COVID-19 pandemic</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>Can I get everything I want under FOI?</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>Can others access information about me or my business?</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>Can the agency refuse to deal with my application?</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>Children and people with intellectual difficulties</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>How long should it take to deal with an access application?</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>How much does it cost?</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>Is FOI my best option?</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>Requirements for a valid access application</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>Review of agency decisions</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>Role of the Information Commissioner</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>Steps for access applicants</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>The public interest</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>What documents can I ask for?</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>What happens in an external review?</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>What if the agency says it doesn't have the documents?</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>What if the agency delays making a decision</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>What is personal information?</u></a>	<a href="#"><u>PDF</u></a>
<a href="#"><u>Who do I contact to ask for documents?</u></a>	<a href="#"><u>PDF</u></a>

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

Information about the external review process	Source
<a href="#">Consulting with third parties during external review - guide for agencies</a>	<a href="#">PDF</a>
<a href="#">Decisions of the Information Commissioner – guide for access applicants</a>	<a href="#">PDF</a>
<a href="#">Decisions of the Information Commissioner – guide for agencies</a>	<a href="#">PDF</a>
<a href="#">Decisions of the Information Commissioner – guide for third parties</a>	<a href="#">PDF</a>
<a href="#">Documents that cannot be found or do not exist – guide for access applicants</a>	<a href="#">PDF</a>
<a href="#">External review procedure – guide for parties</a>	<a href="#">PDF</a>
<a href="#">Exchange of submissions and procedural fairness - guide for parties</a>	<a href="#">PDF</a>
<a href="#">Preparing for a conciliation conference - guide for parties</a>	<a href="#">PDF</a>
<a href="#">Producing documents to the Information Commissioner – guide for agencies</a>	<a href="#">PDF</a>
<a href="#">Understanding the conciliation process - guide for parties</a>	<a href="#">PDF</a>
Information about the FOI Process	Source
<a href="#">Accessing Government documents in Western Australia</a>	<a href="#">PDF</a>
<a href="#">COVID-19 Managing FOI timeframes and potential office closures</a>	<a href="#">PDF</a>
<a href="#">Third parties and their rights - guide for the public</a>	<a href="#">PDF</a>
<a href="#">Calculating time and days guide</a>	<a href="#">PDF</a>
<a href="#">Dealing with personal information about an officer of an agency</a>	<a href="#">PDF</a>
<a href="#">FOI Coordinators Manual</a>	<a href="#">PDF</a>
<a href="#">Dealing with requests for documents related to an 'exempt agency'</a>	<a href="#">PDF</a>

Guides to Exemptions under the FOI Act	Source
<a href="#">Clause 4(2) – Information that has a commercial value</a>	<a href="#">PDF</a>
<a href="#">Clause 4(3) – Business, professional, commercial or financial affairs</a>	<a href="#">PDF</a>
<a href="#">Clause 6 – Deliberative processes of Government</a>	<a href="#">PDF</a>
<a href="#">Clause 7 – Legal professional privilege</a>	<a href="#">PDF</a>
<a href="#">Clause 8 – Confidential communications</a>	<a href="#">PDF</a>
Other publications	Source
<a href="#">Information Statement Guidelines</a>	<a href="#">PDF</a>
<a href="#">OIC Newsletter</a>	-
<a href="#">Annual reports from 2001</a>	-
<a href="#">Open by Design – the FOI Act and Information Release in WA</a>	-

**Table 11: Injury management targets**

Measure	Actual		Results against target	
	2022/23	2023/24	Target	Comment on result
Number of fatalities	0	0	Zero (0)	No lost time injuries were experienced in the reporting period.
Lost time injury and disease incidence rate	0	0	Zero (0) or 10% reduction	
Lost time injury and severity rate	0	0	Zero (0) or 10% reduction	
Percentage of injured workers returned to work within: (ii) 13 weeks (iii) 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, including refresher training within three years	100%	100%	Greater than or equal to 80%	



## Agency Statistics

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

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

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

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

### Index to tables

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

**Table 12: Valid access applications received by agencies**

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

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

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

AGENCY	No.
<b>Boards, Committees, Commissions, Authorities, Corporations</b>	
Aqwest	2
Burswood Park Board	0
Busselton Water	0
Chemistry Centre Western Australia	2
Commissioner for Children and Young People	0
Construction Industry Long Service Leave Payments Board	0

AGENCY	No.
Construction Training Fund	0
DevelopmentWA	6
Economic Regulation Authority	0
Electoral Commission, Western Australian	1
Equal Opportunity Commission	1
Forest Products Commission	4
Fremantle Port Authority	3
Gascoyne Development Commission	0
Gold Corporation	3
Goldfields-Esperance Development Commission	0
Government Employees Superannuation Board	3
Great Southern Development Commission	0
Greyhound Racing Association, Western Australian	3
Horizon Power	1
Insurance Commission of Western Australia	151
Kimberley Development Commission	0
Kimberley Ports Authority	0
Landgate	13
Legal Aid Western Australia	44
Legal Practice Board	4
Lotteries Commission	1
Mental Health Advocacy Service	3

AGENCY	No.
Mental Health Commission	1
Metropolitan Cemeteries Board	12
Mid West Development Commission	1
Mid West Ports Authority	0
Minerals Research Institute of Western Australia	0
National Trust of Australia (WA)	0
Peel Development Commission	0
Pilbara Development Commission	0
Pilbara Ports Authority	2
Public Advocate, Office of the	6
Public Sector Commission	5
Public Transport Authority	28
Public Trust Office	1
Racing and Wagering Western Australia	8
Registrar, WA Industrial Relations Commission, Department of the	1
Salaries and Allowances Tribunal	1
School Curriculum and Standards Authority	8
Small Business Development Corporation	6
South West Development Commission	0
Southern Ports Authority	1
Sports Centre Trust (VenuesWest)	3

AGENCY	No.
Synergy	9
Water Corporation	44
Western Power	27
Wheatbelt Development Commission	0
WorkCover Western Australia (Workcover WA)	203
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<i>612</i>
<b>Departments (except Police and Health related agencies)</b>	
Biodiversity, Conservation and Attractions, Department of	38
Central Regional TAFE	1
Communities, Department of	610
Education, Department of	220
Energy Disputes Arbitrator, Western Australian	0
Energy, Mines, Industry Regulation and Safety, Department of	746
Finance, Department of	17
Fire and Emergency Services, Department of	223
Health, Department of	45
Jobs, Tourism, Science and Innovation, Department of	21
Justice, Department of	1,391
Local Government, Sport and Cultural Industries, Department of	63

AGENCY	No.
Main Roads Western Australia	44
Mental Health Tribunal	0
North Metropolitan TAFE	7
North Regional TAFE	1
Planning, Lands and Heritage, Department of	104
Premier and Cabinet, Department of the	48
Primary Industries and Regional Development, Department of	30
South Metropolitan TAFE	4
South Regional TAFE	7
Training and Workforce Development, Department of	33
Transport, Department of	374
Treasury, Department of	8
Water and Environmental Regulation, Department of	228
<i>Sub-total: Departments</i>	<i>4,263</i>
<b>Health Related Agencies</b>	
<i>East Metropolitan Health Services (EMHS)</i>	
C&AHS - Perth Children's Hospital	111
Chief Psychiatrist, Office of the	4
EMHS - Armadale Kalamunda Group	700
EMHS - Corporate Office	14
Royal Perth Bentley Group	3,575

AGENCY	No.
<i>Sub-total: EMHS</i>	<i>4,404</i>
<i>North Metropolitan Health Services (NMHS)</i>	
Health and Disability Services Complaints Office	3
Health Support Services	3
Healthway	0
NMHS - Corporate Office	10
NMHS - King Edward Memorial Hospital	268
NMHS - Mental Health	423
NMHS - Osborne Park Hospital	54
NMHS - PathWest Laboratory Medicine WA	35
NMHS - Sir Charles Gairdner Hospital	1,221
<i>Sub-total: NMHS</i>	<i>2,017</i>
<i>South Metropolitan Health Services (SMHS)</i>	
SMHS - Fiona Stanley Fremantle Hospital Group	2,580
SMHS - Rockingham Peel Group	630
<i>Sub-total: SMHS</i>	<i>3,210</i>
<i>Western Australia Country Health Services (WACHS)</i>	
WACHS - Central Office	13
WACHS - Goldfields	406
WACHS - Great Southern	307
WACHS - Kimberley	714

AGENCY	No.
WACHS - Midwest	422
WACHS - Pilbara	440
WACHS - South West	669
WACHS - Wheatbelt	302
<i>Sub-total: WACHS</i>	<i>3,273</i>
<i>Sub-total: Health Related Agencies</i>	<i>12,904</i>
<b>Local Governments</b>	
Albany, City of	13
Armadale, City of	22
Ashburton, Shire of	10
Augusta-Margaret River, Shire of	15
Bassendean, Town of	12
Bayswater, City of	17
Belmont, City of	14
Beverley, Shire of	0
Boddington, Shire of	0
Boyup Brook, Shire of	0
Bridgetown-Greenbushes, Shire of	3
Brookton, Shire of	0
Broome, Shire of	8
Broomehill-Tambellup, Shire of	0
Bruce Rock, Shire of	0

AGENCY	No.
Bunbury, City of	11
Bunbury-Harvey Regional Council	0
Busselton, City of	24
Cambridge, Town of	26
Canning, City of	26
Capel, Shire of	2
Carnamah, Shire of	1
Carnarvon, Shire of	1
Catalina Regional Council	0
Chapman Valley, Shire of	0
Chittering, Shire of	2
Christmas Island, Shire of	0
Claremont, Town of	12
Cockburn, City of	39
Cocos (Keeling) Islands, Shire of	0
Collie, Shire of	0
Coolgardie, Shire of	0
Coorow, Shire of	0
Corrigin, Shire of	0
Cottesloe, Town of	7
Cranbrook, Shire of	2
Cuballing, Shire of	0

AGENCY	No.
Cue, Shire of	0
Cunderdin, Shire of	2
Dalwallinu, Shire of	0
Dandaragan, Shire of	1
Dardanup, Shire of	1
Denmark, Shire of	4
Derby-West Kimberley, Shire of	3
Donnybrook-Balingup, Shire of	1
Dowerin, Shire of	0
Dumbleyung, Shire of	0
Dundas, Shire of	1
East Fremantle, Town of	0
East Pilbara, Shire of	6
Eastern Metropolitan Regional Council	0
Esperance, Shire of	7
Exmouth, Shire of	3
Fremantle, City of	19
Gingin, Shire of	10
Gnowangerup, Shire of	0
Goomalling, Shire of	0
Gosnells, City of	20
Greater Geraldton, City of	4

AGENCY	No.
Halls Creek, Shire of	0
Harvey, Shire of	2
Irwin, Shire of	0
Jerramungup, Shire of	0
Joondalup, City of	82
Kalamunda, City of	27
Kalgoorlie-Boulder, City of	14
Karratha, City of	15
Katanning, Shire of	14
Kellerberrin, Shire of	1
Kent, Shire of	0
Kojonup, Shire of	1
Kondinin, Shire of	0
Koorda, Shire of	0
Kulin, Shire of	0
Kwinana, City of	9
Lake Grace, Shire of	0
Laverton, Shire of	0
Leonora, Shire of	1
Mandurah, City of	13
Manjimup, Shire of	6
Meekatharra, Shire of	0

AGENCY	No.
Melville, City of	47
Menzies, Shire of	2
Merredin, Shire of	1
Mindarie Regional Council	0
Mingenew, Shire of	0
Moora, Shire of	0
Morawa, Shire of	0
Mosman Park, Town of	10
Mount Magnet, Shire of	0
Mount Marshall, Shire of	0
Mukinbudin, Shire of	0
Mundaring, Shire of	12
Murchison Regional Vermin Council	0
Murchison, Shire of	0
Murray, Shire of	1
Nannup, Shire of	1
Narembeen, Shire of	1
Narrogin, Shire of	1
Nedlands, City of	14
Ngaanyatjarraku, Shire of	0
Northam, Shire of	8
Northampton, Shire of	1

AGENCY	No.
Nungarin, Shire of	0
Peppermint Grove, Shire of	2
Perenjori, Shire of	0
Perth, City of	34
Pingelly, Shire of	0
Plantagenet, Shire of	0
Port Hedland, Town of	12
Quairading, Shire of	0
Ravensthorpe, Shire of	2
Resource Recovery Group	0
Rivers Regional Council	0
Rockingham, City of	24
Sandstone, Shire of	0
Serpentine-Jarrahdale, Shire of	11
Shark Bay, Shire of	0
South Perth, City of	12
Stirling, City of	86
Subiaco, City of	12
Swan, City of	54
Tammin, Shire of	0
Three Springs, Shire of	0
Toodyay, Shire of	0

AGENCY	No.
Traying, Shire of	0
Upper Gascoyne, Shire of	0
Victoria Park, Town of	10
Victoria Plains, Shire of	1
Vincent, City of	9
Wagin, Shire of	0
Wandering, Shire of	0
Wanneroo, City of	50
Waroona, Shire of	7
West Arthur, Shire of	1
Western Metropolitan Regional Council	0
Westonia, Shire of	0
Wickepin, Shire of	0
Williams, Shire of	0
Wiluna, Shire of	0
Wongan-Ballidu, Shire of	0
Woodanilling, Shire of	0
Wyalkatchem, Shire of	0
Wyndham-East Kimberley, Shire of	1
Yalgoo, Shire of	0
Yilgarn, Shire of	1
York, Shire of	2

AGENCY	No.
<i>Sub-Total: Local Governments</i>	<i>964</i>
<b>Ministers</b>	
Beazley MLA, Hon H M	0
Buti MLA, Hon Dr A D	6
Carey MLA, Hon J N	6
Dawson MLC, Hon S N	0
Ellery MLC, Hon S M	2
Jarvis MLC, Hon J	2
McGurk MLA, Hon S F	1
Michael MLA, Hon D R	5
Papalia MLA, Hon P	9
Punch MLA, Hon D T	1
Quigley MLA, Hon J R	3
Saffioti MLA, Hon R	6
Sanderson MLA, Hon A	4
Templeman MLA, Hon D A	2
Whitby MLA, Hon R R	7
Winton MLA, Hon S E	1
<i>Sub-total: Ministers</i>	<i>55</i>
<b>Police</b>	
Police Force, Western Australia	3,397



AGENCY	No.
<i>Sub-total: Police</i>	<i>3,397</i>
<b>Universities</b>	
Curtin University of Technology	6
Edith Cowan University	13
Murdoch University	6
University of Western Australia, The	7
<i>Sub-total: Universities</i>	<i>32</i>
<b>TOTAL</b>	<b>22,227</b>

SUMMARY	No.	%
Boards, Committees, Commissions, Authorities, Corporations	612	2.8%
Departments (except Police and Health related agencies)	4,263	19.2%
Health Related Agencies	12,904	58.1%
Local Governments	964	4.3%
Ministers	55	0.2%
Police	3,397	15.3%
Universities	32	0.1%
<b>TOTAL</b>	<b>22,227</b>	<b>100</b>

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

### ***Table 13: Outcome of access applications finalised by agency decision***

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

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

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

*Note that this table reflects decisions made by agencies. Those agencies that did not decide any access applications in 2023/24 are not listed.*

*In addition to matters finalised by decision of an agency, 1,899 applications were withdrawn by the applicant prior to a decision being made.*

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
<b>Boards, Committees, Commissions, Authorities, Corporations</b>														
Aqwest	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Chemistry Centre Western Australia	0	0.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
DevelopmentWA	0	0.0%	4	66.7%	0	0.0%	0	0.0%	0	0.0%	2	33.3%	0	0.0%
Electoral Commission, Western Australian	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Equal Opportunity Commission	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Forest Products Commission	0	0.0%	4	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Fremantle Port Authority	3	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Gold Corporation	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	33.3%	2	66.7%
Government Employees Superannuation Board	0	0.0%	1	33.3%	0	0.0%	0	0.0%	2	66.7%	0	0.0%	0	0.0%
Greyhound Racing Association, Western Australian	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Horizon Power	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Insurance Commission of Western Australia	0	0.0%	125	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Landgate	1	9.1%	8	72.7%	0	0.0%	0	0.0%	1	9.1%	0	0.0%	1	9.1%
Legal Aid Western Australia	6	30.0%	5	25.0%	0	0.0%	0	0.0%	2	10.0%	4	20.0%	3	15.0%
Legal Practice Board	0	0.0%	3	75.0%	0	0.0%	0	0.0%	1	25.0%	0	0.0%	0	0.0%
Lotteries Commission	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Mental Health Advocacy Service	0	0.0%	3	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Mental Health Commission	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Metropolitan Cemeteries Board	0	0.0%	9	75.0%	1	8.3%	0	0.0%	2	16.7%	0	0.0%	0	0.0%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Mid West Development Commission	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Pilbara Ports Authority	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%
Public Advocate, Office of the	0	0.0%	4	80.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	20.0%
Public Sector Commission	2	40.0%	1	20.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	40.0%
Public Transport Authority	0	0.0%	16	55.2%	0	0.0%	0	0.0%	3	10.3%	0	0.0%	10	34.5%
Public Trust Office	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%	0	0.0%	0	0.0%
Racing and Wagering Western Australia	4	66.7%	2	33.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Registrar, WA Industrial Relations Commission, Department of the	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Salaries and Allowances Tribunal	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
School Curriculum and Standards Authority	0	0.0%	1	16.7%	0	0.0%	0	0.0%	3	50.0%	0	0.0%	2	33.3%
Small Business Development Corporation	1	25.0%	3	75.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Southern Ports Authority	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Sports Centre Trust (VenuesWest)	0	0.0%	2	66.7%	0	0.0%	0	0.0%	1	33.3%	0	0.0%	0	0.0%
Synergy	0	0.0%	4	57.1%	0	0.0%	0	0.0%	1	14.3%	1	14.3%	1	14.3%
Water Corporation	2	5.3%	29	76.3%	0	0.0%	0	0.0%	6	15.8%	0	0.0%	1	2.6%
Western Power	4	16.7%	18	75.0%	0	0.0%	0	0.0%	0	0.0%	2	8.3%	0	0.0%
WorkCover Western Australia	136	69.4%	31	15.8%	0	0.0%	0	0.0%	26	13.3%	0	0.0%	3	1.5%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	164	31.0%	278	52.6%	1	0.2%	0	0.0%	49	9.3%	10	1.9%	27	5.1%
<b>Departments</b>														
Biodiversity, Conservation and Attractions, Department of	11	30.6%	20	55.6%	0	0.0%	0	0.0%	2	5.6%	1	2.8%	2	5.6%
Central Regional TAFE	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Communities, Department of	44	7.6%	441	75.9%	0	0.0%	0	0.0%	76	13.1%	20	3.4%	0	0.0%
Education, Department of	60	33.7%	78	43.8%	1	0.6%	0	0.0%	32	18.0%	1	0.6%	6	3.4%
Energy, Mines, Industry Regulation and Safety, Department of	237	41.7%	92	16.2%	1	0.2%	0	0.0%	169	29.8%	2	0.4%	67	11.8%
Finance, Department of	3	20.0%	7	46.7%	0	0.0%	0	0.0%	2	13.3%	3	20.0%	0	0.0%
Fire and Emergency Services, Department of	185	92.0%	7	3.5%	3	1.5%	0	0.0%	2	1.0%	1	0.5%	3	1.5%
Health, Department of	22	56.4%	3	7.7%	0	0.0%	0	0.0%	6	15.4%	0	0.0%	8	20.5%
Jobs, Tourism, Science and Innovation, Department of	0	0.0%	15	78.9%	0	0.0%	0	0.0%	2	10.5%	1	5.3%	1	5.3%
Justice, Department of	284	19.6%	1007	69.5%	0	0.0%	2	0.1%	66	4.6%	2	0.1%	88	6.1%
Local Government, Sport and Cultural Industries, Department of	37	61.7%	12	20.0%	0	0.0%	0	0.0%	8	13.3%	3	5.0%	0	0.0%
Main Roads Western Australia	14	45.2%	7	22.6%	0	0.0%	0	0.0%	4	12.9%	1	3.2%	5	16.1%
North Metropolitan TAFE	4	66.7%	2	33.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
North Regional TAFE	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Planning, Lands and Heritage, Department of	0	0.0%	63	77.8%	1	1.2%	0	0.0%	13	16.0%	3	3.7%	1	1.2%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Premier and Cabinet, Department of the	9	15.8%	23	40.4%	0	0.0%	0	0.0%	15	26.3%	1	1.8%	9	15.8%
Primary Industries and Regional Development, Department of	7	18.4%	11	28.9%	0	0.0%	0	0.0%	17	44.7%	0	0.0%	3	7.9%
South Metropolitan TAFE	3	75.0%	0	0.0%	1	25.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
South Regional TAFE	7	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Training and Workforce Development, Department of	0	0.0%	20	71.4%	0	0.0%	0	0.0%	8	28.6%	0	0.0%	0	0.0%
Transport, Department of	95	47.7%	38	19.1%	0	0.0%	0	0.0%	45	22.6%	0	0.0%	21	10.6%
Treasury, Department of	1	12.5%	4	50.0%	0	0.0%	0	0.0%	2	25.0%	0	0.0%	1	12.5%
Water and Environmental Regulation, Department of	36	16.6%	81	37.3%	0	0.0%	0	0.0%	81	37.3%	2	0.9%	17	7.8%
<i>Sub-total: Departments</i>	<i>1060</i>	<i>27.7%</i>	<i>1932</i>	<i>50.5%</i>	<i>7</i>	<i>0.2%</i>	<i>2</i>	<i>0.1%</i>	<i>550</i>	<i>14.4%</i>	<i>41</i>	<i>1.1%</i>	<i>232</i>	<i>6.1%</i>
<b>East Metropolitan Health Services (EMHS)</b>														
C&AHS - Perth Children's Hospital	61	66.3%	3	3.3%	1	1.1%	2	2.2%	2	2.2%	4	4.3%	19	20.7%
Chief Psychiatrist, Office of the	1	25.0%	3	75.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
EMHS - Armadale Kalamunda Group	438	68.3%	177	27.6%	0	0.0%	1	0.2%	19	3.0%	6	0.9%	0	0.0%
EMHS - Corporate Office	1	7.7%	10	76.9%	0	0.0%	0	0.0%	1	7.7%	1	7.7%	0	0.0%
Royal Perth Bentley Group	3184	89.1%	196	5.5%	0	0.0%	3	0.1%	188	5.3%	0	0.0%	3	0.1%
<i>Sub-total: EMHS</i>	<i>3685</i>	<i>85.2%</i>	<i>389</i>	<i>9.0%</i>	<i>1</i>	<i>0.0%</i>	<i>6</i>	<i>0.1%</i>	<i>210</i>	<i>4.9%</i>	<i>11</i>	<i>0.3%</i>	<i>22</i>	<i>0.5%</i>
<b>North Metropolitan Health Services (NHMS)</b>														
Health and Disability Services Complaints Office	1	33.3%	1	33.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	33.3%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Health Support Services	0	0.0%	3	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
NMHS - Corporate Office	4	36.4%	2	18.2%	0	0.0%	0	0.0%	5	45.5%	0	0.0%	0	0.0%
NMHS - King Edward Memorial Hospital	227	95.4%	1	0.4%	0	0.0%	4	1.7%	5	2.1%	0	0.0%	1	0.4%
NMHS - Mental Health	113	28.0%	282	70.0%	0	0.0%	0	0.0%	4	1.0%	1	0.2%	3	0.7%
NMHS - Osborne Park Hospital	54	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
NMHS - PathWest Laboratory Medicine WA	32	88.9%	0	0.0%	0	0.0%	0	0.0%	2	5.6%	0	0.0%	2	5.6%
NMHS - Sir Charles Gairdner Hospital	856	89.9%	25	2.6%	1	0.1%	1	0.1%	58	6.1%	7	0.7%	4	0.4%
<i>Sub-total: NMHS</i>	<i>1287</i>	<i>75.7%</i>	<i>314</i>	<i>18.5%</i>	<i>1</i>	<i>0.1%</i>	<i>5</i>	<i>0.3%</i>	<i>74</i>	<i>4.4%</i>	<i>8</i>	<i>0.5%</i>	<i>11</i>	<i>0.6%</i>
<b>South Metropolitan Health Services (SMHS)</b>														
SMHS - Fiona Stanley Fremantle Hospital Group	2335	95.4%	15	0.6%	0	0.0%	2	0.1%	93	3.8%	0	0.0%	3	0.1%
SMHS - Rockingham Peel Group	580	88.3%	53	8.1%	1	0.2%	0	0.0%	21	3.2%	2	0.3%	0	0.0%
<i>Sub-total: SMHS</i>	<i>2915</i>	<i>93.9%</i>	<i>68</i>	<i>2.2%</i>	<i>1</i>	<i>0.0%</i>	<i>2</i>	<i>0.1%</i>	<i>114</i>	<i>3.7%</i>	<i>2</i>	<i>0.1%</i>	<i>3</i>	<i>0.1%</i>
<b>Western Australia Country Health Services (WACHS)</b>														
WACHS - Central Office	2	20.0%	7	70.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	10.0%
WACHS - Goldfields	245	95.7%	0	0.0%	0	0.0%	1	0.4%	9	3.5%	0	0.0%	1	0.4%
WACHS - Great Southern	253	95.5%	1	0.4%	0	0.0%	1	0.4%	10	3.8%	0	0.0%	0	0.0%
WACHS - Kimberley	544	96.1%	0	0.0%	0	0.0%	0	0.0%	22	3.9%	0	0.0%	0	0.0%
WACHS - Midwest	10	2.4%	395	95.6%	0	0.0%	0	0.0%	7	1.7%	1	0.2%	0	0.0%
WACHS - Pilbara	336	95.5%	0	0.0%	0	0.0%	0	0.0%	16	4.5%	0	0.0%	0	0.0%
WACHS - South West	454	85.3%	66	12.4%	0	0.0%	0	0.0%	12	2.3%	0	0.0%	0	0.0%

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	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
WACHS - Wheatbelt	276	95.5%	0	0.0%	0	0.0%	1	0.3%	12	4.2%	0	0.0%	0	0.0%
<i>Sub-total: WACHS</i>	2120	79.0%	469	17.5%	0	0.0%	3	0.1%	88	3.3%	1	0.0%	2	0.1%
<i>Sub-total: Health Related Agencies</i>	10007	84.7%	1240	10.5%	3	0.0%	16	0.1%	486	4.1%	22	0.2%	38	0.3%
<b>Local Governments</b>														
Albany, City of	6	46.2%	7	53.8%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Armadale, City of	2	11.8%	14	82.4%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	5.9%
Ashburton, Shire of	2	25.0%	2	25.0%	0	0.0%	0	0.0%	4	50.0%	0	0.0%	0	0.0%
Augusta-Margaret River, Shire of	1	5.3%	17	89.5%	0	0.0%	0	0.0%	0	0.0%	1	5.3%	0	0.0%
Bassendean, Town of	0	0.0%	10	90.9%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	9.1%
Bayswater, City of	3	17.6%	10	58.8%	0	0.0%	0	0.0%	4	23.5%	0	0.0%	0	0.0%
Belmont, City of	0	0.0%	11	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Bridgetown-Greenbushes, Shire of	4	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Broome, Shire of	3	42.9%	4	57.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Bunbury, City of	3	27.3%	8	72.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Busselton, City of	1	4.5%	21	95.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Cambridge, Town of	0	0.0%	18	78.3%	0	0.0%	0	0.0%	2	8.7%	0	0.0%	3	13.0%
Canning, City of	2	10.0%	16	80.0%	0	0.0%	0	0.0%	2	10.0%	0	0.0%	0	0.0%
Capel, Shire of	0	0.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Carnamah, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Carnarvon, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Chittering, Shire of	0	0.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%



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	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Claremont, Town of	1	12.5%	7	87.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Cockburn, City of	0	0.0%	35	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Cottesloe, Town of	2	28.6%	3	42.9%	0	0.0%	0	0.0%	1	14.3%	0	0.0%	1	14.3%
Cranbrook, Shire of	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Cunderdin, Shire of	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Dandaragan, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Dardanup, Shire of	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Denmark, Shire of	0	0.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Derby-West Kimberley, Shire of	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Donnybrook-Balingup, Shire of	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%	0	0.0%	0	0.0%
Dundas, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
East Pilbara, Shire of	5	83.3%	1	16.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Esperance, Shire of	1	16.7%	4	66.7%	0	0.0%	1	16.7%	0	0.0%	0	0.0%	0	0.0%
Exmouth, Shire of	1	33.3%	1	33.3%	0	0.0%	0	0.0%	0	0.0%	1	33.3%	0	0.0%
Fremantle, City of	2	13.3%	13	86.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Gingin, Shire of	1	11.1%	8	88.9%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Gosnells, City of	1	5.3%	18	94.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Greater Geraldton, City of	0	0.0%	4	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Harvey, Shire of	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Joondalup, City of	5	6.5%	69	89.6%	0	0.0%	0	0.0%	3	3.9%	0	0.0%	0	0.0%
Kalamunda, City of	1	3.8%	22	84.6%	0	0.0%	1	3.8%	1	3.8%	0	0.0%	1	3.8%
Kalgoorlie-Boulder, City of	1	7.1%	9	64.3%	0	0.0%	0	0.0%	4	28.6%	0	0.0%	0	0.0%

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	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Karratha, City of	2	15.4%	8	61.5%	0	0.0%	0	0.0%	3	23.1%	0	0.0%	0	0.0%
Katanning, Shire of	12	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Kellerberrin, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Kojonup, Shire of	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Kwinana, City of	0	0.0%	9	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Leonora, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Mandurah, City of	0	0.0%	7	63.6%	0	0.0%	0	0.0%	1	9.1%	0	0.0%	3	27.3%
Manjimup, Shire of	0	0.0%	4	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Melville, City of	1	2.5%	39	97.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Menzies, Shire of	1	50.0%	1	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Merredin, Shire of	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Mosman Park, Town of	0	0.0%	1	16.7%	4	66.7%	0	0.0%	0	0.0%	0	0.0%	1	16.7%
Mundaring, Shire of	0	0.0%	12	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Murray, Shire of	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Nannup, Shire of	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Narembeen, Shire of	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%	0	0.0%	0	0.0%
Narrogin, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Nedlands, City of	2	15.4%	5	38.5%	3	23.1%	0	0.0%	2	15.4%	0	0.0%	1	7.7%
Northam, Shire of	1	14.3%	3	42.9%	0	0.0%	0	0.0%	1	14.3%	0	0.0%	2	28.6%
Northampton, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Peppermint Grove, Shire of	1	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	50.0%
Perth, City of	0	0.0%	30	93.8%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	6.3%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Port Hedland, Town of	4	33.3%	7	58.3%	0	0.0%	0	0.0%	1	8.3%	0	0.0%	0	0.0%
Ravensthorpe, Shire of	0	0.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Rockingham, City of	1	6.7%	13	86.7%	0	0.0%	0	0.0%	1	6.7%	0	0.0%	0	0.0%
Serpentine-Jarrahdale, Shire of	3	37.5%	5	62.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
South Perth, City of	0	0.0%	9	81.8%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	18.2%
Stirling, City of	0	0.0%	69	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Subiaco, City of	2	18.2%	8	72.7%	0	0.0%	0	0.0%	0	0.0%	1	9.1%	0	0.0%
Swan, City of	1	1.8%	50	89.3%	0	0.0%	0	0.0%	3	5.4%	1	1.8%	1	1.8%
Victoria Park, Town of	0	0.0%	9	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Victoria Plains, Shire of	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Vincent, City of	2	25.0%	6	75.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Wanneroo, City of	0	0.0%	39	90.7%	0	0.0%	0	0.0%	1	2.3%	0	0.0%	3	7.0%
Waroona, Shire of	0	0.0%	3	17.6%	0	0.0%	0	0.0%	5	29.4%	7	41.2%	2	11.8%
West Arthur, Shire of	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Wyndham-East Kimberley, Shire of	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Yilgarn, Shire of	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
York, Shire of	0	0.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<i>Sub-total: Local Governments</i>	<i>96</i>	<i>11.1%</i>	<i>686</i>	<i>79.0%</i>	<i>7</i>	<i>0.8%</i>	<i>2</i>	<i>0.2%</i>	<i>41</i>	<i>4.7%</i>	<i>11</i>	<i>1.3%</i>	<i>25</i>	<i>2.9%</i>
<b>Ministers</b>														
Buti MLA, Hon Dr T A	1	20.0%	4	80.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Carey MLA, Hon J N	2	40.0%	1	20.0%	0	0.0%	0	0.0%	2	40.0%	0	0.0%	0	0.0%
Ellery MLC, Hon S M	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Jarvis MLC, Hon J	1	50.0%	0	0.0%	0	0.0%	0	0.0%	1	50.0%	0	0.0%	0	0.0%
McGurk MLA, Hon S F	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%
Michael MLA, Hon D R	0	0.0%	3	50.0%	0	0.0%	0	0.0%	1	16.7%	1	16.7%	1	16.7%
Papalia MLA, Hon P	1	7.1%	4	28.6%	0	0.0%	0	0.0%	4	28.6%	5	35.7%	0	0.0%
Punch MLA, Hon D T	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Quigley MLA, Hon J R	2	50.0%	0	0.0%	0	0.0%	0	0.0%	2	50.0%	0	0.0%	0	0.0%
Saffioti MLA, Hon R	0	0.0%	3	60.0%	0	0.0%	0	0.0%	2	40.0%	0	0.0%	0	0.0%
Sanderson MLA, Hon A	0	0.0%	7	87.5%	0	0.0%	0	0.0%	1	12.5%	0	0.0%	0	0.0%
Templeman MLA, Hon D A	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Whitby MLA, Hon R R	1	12.5%	3	37.5%	0	0.0%	0	0.0%	1	12.5%	1	12.5%	2	25.0%
Winton MLA, Hon S E	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<i>Sub-total: Ministers</i>	<i>8</i>	<i>13.3%</i>	<i>27</i>	<i>45.0%</i>	<i>0</i>	<i>0.0%</i>	<i>0</i>	<i>0.0%</i>	<i>14</i>	<i>23.3%</i>	<i>7</i>	<i>11.7%</i>	<i>4</i>	<i>6.7%</i>
<b>Police</b>														
Police Force, Western Australia	777	30.1%	810	31.4%	0	0.0%	0	0.0%	62	2.4%	16	0.6%	914	35.4%
<i>Sub-total: Police</i>	<i>777</i>	<i>30.1%</i>	<i>810</i>	<i>31.4%</i>	<i>0</i>	<i>0.0%</i>	<i>0</i>	<i>0.0%</i>	<i>62</i>	<i>2.4%</i>	<i>16</i>	<i>0.6%</i>	<i>914</i>	<i>35.4%</i>
<b>Universities</b>														
Curtin University of Technology	0	0.0%	1	20.0%	0	0.0%	0	0.0%	2	40.0%	1	20.0%	1	20.0%
Edith Cowan University	4	40.0%	6	60.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Murdoch University	0	0.0%	6	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
University of Western Australia, The	0	0.0%	3	75.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	25.0%
<i>Sub-total: Universities</i>	<i>4</i>	<i>16.0%</i>	<i>16</i>	<i>64.0%</i>	<i>0</i>	<i>0.0%</i>	<i>0</i>	<i>0.0%</i>	<i>2</i>	<i>8.0%</i>	<i>1</i>	<i>4.0%</i>	<i>2</i>	<i>8.0%</i>
<b>TOTAL</b>	<b>12,116</b>	<b>61.5%</b>	<b>4,989</b>	<b>25.3%</b>	<b>18</b>	<b>0.1%</b>	<b>20</b>	<b>0.1%</b>	<b>1,204</b>	<b>6.1%</b>	<b>108</b>	<b>0.5%</b>	<b>1,242</b>	<b>6.3%</b>

AGENCY	DECISION OUTCOMES													
	In Full		Edited		Deferred		Section 28		Section 26		Section 20		Refused	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)	No.	(%)
Boards, Committees, Commissions, Authorities, Corporations	164	31.0%	278	52.6%	1	0.2%	0	0.0%	49	9.3%	10	1.9%	27	5.1%
Departments (except Police and Health related agencies)	1,060	27.7%	1,932	50.5%	7	0.2%	2	0.1%	550	14.4%	41	1.1%	232	6.1%
Health Related Agencies	10,007	84.7%	1,240	10.5%	3	0.0%	16	0.1%	486	4.1%	22	0.2%	38	0.3%
Local Governments	96	11.1%	686	79.0%	7	0.8%	2	0.2%	41	4.7%	11	1.3%	25	2.9%
Ministers	8	13.3%	27	45.0%	0	0.0%	0	0.0%	14	23.3%	7	11.7%	4	6.7%
WA Police	777	30.1%	810	31.4%	0	0.0%	0	0.0%	62	2.4%	16	0.6%	914	35.4%
Universities	4	16.0%	16	64.0%	0	0.0%	0	0.0%	2	8.0%	1	4.0%	2	8.0%
<b>TOTAL</b>	<b>12,116</b>	<b>61.5%</b>	<b>4,989</b>	<b>25.3%</b>	<b>18</b>	<b>0.1%</b>	<b>20</b>	<b>0.1%</b>	<b>1,204</b>	<b>6.1%</b>	<b>108</b>	<b>0.5%</b>	<b>1,242</b>	<b>6.3%</b>
<b>GRAND TOTAL</b>	<b>19,697</b>													

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

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

AGENCY CATEGORY	EXEMPTION CLAUSE															
	(Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
<b>Boards, Committees, Commissions, Authorities, Corporations</b>																
Chemistry Centre Western Australia	0	0	2	0	0	0	0	0	1	0	0	0	0	0	0	0
DevelopmentWA	2	0	3	1	0	0	0	1	0	0	0	0	1	0	0	0
Equal Opportunity Commission	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0
Fremantle Port Authority	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Gold Corporation	0	0	0	2	0	0	1	0	2	0	0	1	0	0	0	0
Government Employees Superannuation Board	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0
Insurance Commission of Western Australia	0	0	129	0	0	0	112	21	2	0	0	0	0	0	0	0
Landgate	0	0	2	0	0	0	1	1	0	0	0	0	0	0	0	0
Legal Aid Western Australia	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0
Legal Practice Board	0	0	3	0	0	0	1	0	0	0	0	0	0	0	0	0
Mental Health Commission	1	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0
Pilbara Ports Authority	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Public Advocate, Office of the	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Sector Commission	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Transport Authority	0	0	25	4	0	2	1	0	1	0	0	0	0	0	0	0
Public Trust Office	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Racing and Wagering Western Australia	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0

AGENCY CATEGORY	EXEMPTION CLAUSE															
	(Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
School Curriculum and Standards Authority	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0
Small Business Development Corporation	0	0	3	1	0	0	3	1	1	0	0	0	0	0	0	0
Sports Centre Trust (VenuesWest)	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Synergy	1	0	7	0	0	0	1	0	0	0	0	0	0	0	0	0
Water Corporation	3	0	29	4	0	1	4	1	0	0	0	0	0	0	0	0
WorkCover Western Australia	0	0	33	1	0	0	2	1	0	0	0	0	0	0	0	0
<b>Sub-Total: Boards, Committees, Commissions, Authorities, Corporations</b>	<b>8</b>	<b>0</b>	<b>250</b>	<b>15</b>	<b>0</b>	<b>3</b>	<b>127</b>	<b>31</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Departments</b>																
Biodiversity, Conservation and Attractions, Department of	0	0	16	4	0	4	3	0	3	0	0	0	1	0	0	0
Communities, Department of	1	1	455	4	0	109	2	8	15	0	2	3	7	1	107	0
Education, Department of	4	1	75	2	0	2	1	1	4	0	0	0	0	0	0	0
Energy, Mines, Industry Regulation and Safety, Department of	2	0	50	52	0	15	0	9	2	0	0	0	0	0	3	0
Finance, Department of	0	0	2	3	0	4	0	3	1	0	0	0	0	0	0	0
Fire and Emergency Services, Department of	0	0	10	10	0	3	1	1	1	0	2	0	0	0	0	0
Health, Department of	5	0	2	1	0	0	2	2	0	0	0	0	2	0	0	0
Jobs, Tourism, Science and Innovation, Department of	2	0	14	6	0	0	1	2	0	0	5	0	1	0	0	0
Justice, Department of	2	0	1006	1	0	91	2	0	4	0	0	185	0	0	10	0
Local Government, Sport and Cultural Industries, Department of	1	0	10	0	0	3	4	4	2	0	0	0	0	0	0	0

AGENCY CATEGORY	EXEMPTION CLAUSE															
	(Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Main Roads Western Australia	0	0	3	0	0	0	2	0	0	0	0	0	1	0	0	0
North Metropolitan TAFE	0	0	0	0	0	0	0	0	2	0	0	1	0	0	0	0
Planning, Lands and Heritage, Department of	2	0	7	5	0	3	3	1	3	0	2	0	1	0	0	0
Premier and Cabinet, Department of the	13	2	14	9	0	0	3	8	0	0	2	0	3	0	0	0
Primary Industries and Regional Development, Department of	2	0	7	2	0	1	1	2	2	0	0	0	2	0	0	0
Training and Workforce Development, Department of	0	0	20	0	0	0	0	0	0	0	1	0	0	0	0	0
Transport, Department of	1	0	51	1	0	1	1	0	2	0	0	1	1	0	0	0
Treasury, Department of	5	0	0	2	0	0	2	0	0	0	0	0	0	0	0	0
Water and Environmental Regulation, Department of	2	0	10	8	0	11	5	4	53	0	0	0	4	0	0	0
<b>Sub-Total: Departments</b>	<b>42</b>	<b>4</b>	<b>1752</b>	<b>110</b>	<b>0</b>	<b>247</b>	<b>33</b>	<b>45</b>	<b>94</b>	<b>0</b>	<b>14</b>	<b>190</b>	<b>23</b>	<b>1</b>	<b>120</b>	<b>0</b>
<b>East Metropolitan Health Services (EMHS)</b>																
C&AHS - Perth Children's Hospital	0	0	18	2	0	0	2	1	0	0	0	0	1	0	0	0
Chief Psychiatrist, Office of the	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0
EMHS - Armadale Kalamunda Group	0	0	177	0	0	0	0	0	0	0	0	0	0	0	0	0
EMHS - Corporate Office	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0
Royal Perth Bentley Group	0	0	197	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sub-total: EMHS</b>	<b>0</b>	<b>0</b>	<b>401</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>North Metropolitan Health Services (NMHS)</b>																
Health and Disability Services Complaints Office	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
Health Support Services	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0



AGENCY CATEGORY	EXEMPTION CLAUSE															
	(Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
NMHS - Corporate Office	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0
NMHS - King Edward Memorial Hospital	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
NMHS - Mental Health	0	0	281	0	0	3	0	0	1	0	0	3	0	0	0	0
NMHS - PathWest Laboratory Medicine WA	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
NMHS - Sir Charles Gairdner Hospital	0	0	29	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sub-total: NMHS</b>	<b>0</b>	<b>0</b>	<b>315</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>South Metropolitan Health Services (SMHS)</b>																
SMHS - Fiona Stanley Fremantle Hospital Group	0	0	15	0	0	1	0	0	0	0	0	0	0	0	0	0
<b>Sub-total: SMHS</b>	<b>0</b>	<b>0</b>	<b>15</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Western Australia Country Health Services (WACHS)</b>																
WACHS - Central Office	0	0	6	0	0	0	1	2	3	0	0	0	0	0	0	0
WACHS - Great Southern	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
WACHS - Midwest	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sub-total: WACHS</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</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>Sub-total: Health Related Agencies</b>	<b>0</b>	<b>0</b>	<b>739</b>	<b>2</b>	<b>0</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>Local Governments</b>																
Albany, City of	0	0	7	0	0	0	0	1	0	0	0	0	0	0	0	0
Armadale, City of	0	0	14	0	0	1	0	5	0	0	0	0	0	0	0	0
Ashburton, Shire of	0	0	1	1	0	0	1	1	1	0	0	0	0	0	0	0
Augusta-Margaret River, Shire of	0	0	14	0	0	3	1	0	0	0	0	0	0	0	0	0
Bassendean, Town of	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0
Bayswater, City of	0	0	10	0	0	0	0	1	0	0	0	0	0	0	0	0

AGENCY CATEGORY	EXEMPTION CLAUSE															
	(Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Belmont, City of	0	0	7	6	0	0	0	0	0	0	0	0	0	0	0	0
Broome, Shire of	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0
Bunbury, City of	0	0	6	2	0	0	0	0	0	0	0	0	0	0	0	0
Cambridge, Town of	0	0	24	5	0	0	2	1	1	0	1	0	0	0	0	0
Capel, Shire of	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Claremont, Town of	0	0	7	1	0	0	1	2	0	0	0	0	0	0	0	0
Cockburn, City of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Cottesloe, Town of	0	0	4	2	0	0	0	1	2	0	0	0	0	0	0	0
Dardanup, Shire of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Denmark, Shire of	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
East Pilbara, Shire of	0	0	0	1	0	0	0	4	0	0	0	0	0	0	0	0
Esperance, Shire of	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0
Fremantle, City of	0	0	13	1	0	0	0	2	0	0	0	0	0	0	0	0
Gingin, Shire of	0	0	5	1	0	0	0	2	0	0	0	0	0	0	0	0
Greater Geraldton, City of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Joondalup, City of	0	0	63	1	0	13	3	0	0	0	0	0	0	0	0	0
Kalamunda, City of	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
Kalgoorlie-Boulder, City of	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0
Kwinana, City of	0	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0
Mandurah, City of	0	0	11	1	0	0	0	1	0	0	0	0	0	0	0	0
Manjimup, Shire of	0	0	4	1	0	0	0	0	1	0	0	0	0	0	0	0
Melville, City of	0	0	39	10	0	0	1	3	3	0	0	2	1	0	0	0
Mosman Park, Town of	0	0	6	3	0	1	2	2	0	0	0	0	0	0	0	0

AGENCY CATEGORY	EXEMPTION CLAUSE															
	(Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Mundaring, Shire of	0	0	12	0	0	0	0	2	0	0	0	0	0	0	0	0
Perth, City of	0	0	6	5	0	9	4	3	0	0	0	1	0	0	0	0
Serpentine-Jarrahdale, Shire of	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0
South Perth, City of	0	0	10	2	0	1	0	0	0	0	0	0	0	0	0	0
Stirling, City of	0	0	69	1	0	10	0	2	2	0	0	0	0	0	0	0
Subiaco, City of	0	0	8	1	0	1	0	1	2	0	0	0	0	0	0	0
Swan, City of	0	0	51	34	0	2	2	2	0	0	0	0	0	0	0	0
Victoria Park, Town of	0	0	8	1	0	0	0	2	0	0	0	0	0	0	0	0
Victoria Plains, Shire of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Vincent, City of	0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0
Wanneroo, City of	0	0	40	1	0	1	0	0	0	0	0	0	0	0	0	0
Waroona, Shire of	0	0	1	1	0	1	0	1	1	0	0	0	0	0	0	0
<b>Sub-total: Local Governments</b>	<b>0</b>	<b>0</b>	<b>487</b>	<b>82</b>	<b>0</b>	<b>44</b>	<b>17</b>	<b>39</b>	<b>14</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Ministers</b>																
Buti MLA, Hon Dr T A	1	0	3	0	0	0	0	0	0	0	0	0	1	0	0	0
Carey MLA, Hon J N	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
McGurk MLA, Hon S F	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Michael MLA, Hon D R	1	0	1	1	0	0	0	1	0	0	0	0	1	0	0	0
Papalia MLA, Hon P	3	0	6	0	0	0	0	0	0	0	0	0	3	0	0	0
Punch MLA, Hon D T	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0
Quigley MLA, Hon J R	1	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0
Saffioti MLA, Hon R	3	1	3	0	0	0	1	0	0	0	0	0	1	0	0	0
Sanderson MLA, Hon A	3	0	6	1	0	0	1	0	0	0	0	0	2	0	0	0

AGENCY CATEGORY	EXEMPTION CLAUSE															
	(Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Templeman MLA, Hon D A	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0
Whitby MLA, Hon R R	2	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sub-Total: Ministers</b>	<b>17</b>	<b>1</b>	<b>23</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>0</b>
Police Force, Western Australia	3	0	1,001	2	0	209	1	3	5	0	0	8	5	0	4	0
<b>Sub-total: Police</b>	<b>3</b>	<b>0</b>	<b>1,001</b>	<b>2</b>	<b>0</b>	<b>209</b>	<b>1</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>5</b>	<b>0</b>	<b>4</b>	<b>0</b>
<b>Universities</b>																
Curtin University of Technology	0	0	2	0	0	1	0	0	1	0	0	0	0	0	0	0
Edith Cowan University	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0
Murdoch University	0	0	6	0	0	0	0	0	1	0	0	0	0	0	0	0
University of Western Australia, The	0	0	3	1	0	0	0	0	3	0	0	1	0	0	0	0
<b>Sub-total: Universities</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>70</b>	<b>5</b>	<b>4,268</b>	<b>215</b>	<b>0</b>	<b>508</b>	<b>186</b>	<b>123</b>	<b>132</b>	<b>0</b>	<b>15</b>	<b>207</b>	<b>41</b>	<b>1</b>	<b>125</b>	<b>0</b>

AGENCY CATEGORY	EXEMPTION CLAUSE															
	(Schedule 1 of the FOI Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Boards, Committees, Commissions, Authorities, Corporations	8	0	250	15	0	3	127	31	9	0	0	1	1	0	0	0
Departments (except Police and Health related agencies)	42	4	1,752	110	0	247	33	45	94	0	14	190	23	1	120	0
Health Related Agencies	0	0	739	2	0	4	4	4	5	0	0	4	1	0	1	0
Local Governments	0	0	487	82	0	44	17	39	14	0	1	3	1	0	0	0
Ministers	17	1	23	3	0	0	4	1	0	0	0	0	10	0	0	0
WA Police	3	0	1,001	2	0	209	1	3	5	0	0	8	5	0	4	0
Universities	0	0	16	1	0	1	0	0	5	0	0	1	0	0	0	0
<b>TOTAL</b>	<b>70</b>	<b>5</b>	<b>4,268</b>	<b>215</b>	<b>0</b>	<b>508</b>	<b>186</b>	<b>123</b>	<b>132</b>	<b>0</b>	<b>15</b>	<b>207</b>	<b>41</b>	<b>1</b>	<b>125</b>	<b>0</b>

**Table 15: Outcome of applications for internal review**

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

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

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

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

AGENCY	Requests received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
<b>Boards, Committees, Commissions, Authorities, Corporations</b>					
DevelopmentWA	2	1	1	0	0
Electoral Commission, Western Australian	1	0	0	0	0
Gold Corporation	1	1	0	0	0
Insurance Commission of Western Australia	1	1	0	0	0
Landgate	1	0	1	0	0
Legal Practice Board	3	0	3	0	0
Metropolitan Cemeteries Board	5	4	1	0	0
Public Transport Authority	2	2	0	0	0
Public Trust Office	1	1	0	0	0
Small Business Development Corporation	1	0	1	0	0
Synergy	1	0	0	0	0
Water Corporation	11	8	3	0	0
Western Power	3	2	1	0	0
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<b>33</b>	<b>20</b>	<b>11</b>	<b>0</b>	<b>0</b>

AGENCY	Requests received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
<b>Departments (except Police and Health related agencies)</b>					
Biodiversity, Conservation and Attractions, Department of	5	2	2	0	0
Communities, Department of	16	11	4	0	1
Education, Department of	14	9	4	1	0
Energy, Mines, Industry Regulation and Safety, Department of	21	6	12	0	0
Fire and Emergency Services, Department of	8	5	1	0	1
Health, Department of	1	1	0	0	0
Jobs, Tourism, Science and Innovation, Department of	1	1	0	0	0
Justice, Department of	18	11	7	0	0
Local Government, Sport and Cultural Industries, Department of	5	4	1	0	0
North Metropolitan TAFE	1	1	0	0	0
Planning, Lands and Heritage, Department of	7	3	4	0	0
Premier and Cabinet, Department of the	9	6	4	0	0
Primary Industries and Regional Development, Department of	3	1	1	0	0
South Regional TAFE	7	7	0	0	0
Transport, Department of	3	2	1	0	0
Water and Environmental Regulation, Department of	8	6	1	0	0
<i>Sub-total: Departments (except Police and Health related agencies)</i>	<b>127</b>	<b>76</b>	<b>42</b>	<b>1</b>	<b>2</b>
<b>East Metropolitan Health Services (EMHS)</b>					
C&AHS - Perth Children's Hospital	6	4	2	0	0
Chief Psychiatrist, Office of the	0	4	0	0	0
EMHS - Corporate Office	1	1	0	0	0

AGENCY	Requests received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Royal Perth Bentley Group	5	4	1	0	0
<i>Sub-total: EMHS</i>	<b>12</b>	<b>13</b>	<b>3</b>	<b>0</b>	<b>0</b>
<b>North Metropolitan Health Services (NMHS)</b>					
NMHS - Mental Health	3	3	0	0	0
NMHS - PathWest Laboratory Medicine WA	1	0	1	0	0
NMHS - Sir Charles Gairdner Hospital	5	4	1	0	0
<i>Sub-total: NMHS</i>	<b>9</b>	<b>7</b>	<b>2</b>	<b>0</b>	<b>0</b>
<b>Western Australia Country Health Services (WACHS)</b>					
WACHS - Central Office	1	1	0	0	0
WACHS - South West	1	0	1	0	0
WACHS - Wheatbelt	1	1	0	0	0
<i>Sub-total: WACHS</i>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>
<i>Sub-total: Health Related Agencies</i>	<b>24</b>	<b>22</b>	<b>6</b>	<b>0</b>	<b>0</b>
<b>Local Governments</b>					
Albany, City of	2	2	0	0	0
Ashburton, Shire of	1	0	1	0	0
Bassendean, Town of	2	2	0	0	0
Belmont, City of	1	1	0	0	0
Cambridge, Town of	7	6	1	0	0
Capel, Shire of	0	2	0	0	0
Carnamah, Shire of	0	1	0	0	0
Claremont, Town of	1	1	0	0	0



AGENCY	Requests received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Denmark, Shire of	1	1	0	0	0
East Pilbara, Shire of	1	1	0	0	0
Gingin, Shire of	1	1	0	0	0
Gosnells, City of	2	1	1	0	0
Joondalup, City of	6	3	3	0	0
Katanning, Shire of	0	12	0	0	2
Mandurah, City of	1	1	0	0	0
Melville, City of	11	10	1	0	0
Menzies, Shire of	0	2	0	0	0
Mosman Park, Town of	5	1	3	0	0
Murray, Shire of	0	1	0	0	0
Perth, City of	3	2	1	0	0
Port Hedland, Town of	0	12	0	0	0
Ravensthorpe, Shire of	0	2	0	0	0
Rockingham, City of	1	1	0	0	0
South Perth, City of	2	2	0	0	0
Stirling, City of	4	2	2	0	0
Subiaco, City of	1	1	0	0	0
Swan, City of	4	2	2	0	0
Victoria Park, Town of	1	1	0	0	0
Victoria Plains, Shire of	1	0	1	0	0
Wanneroo, City of	5	4	0	0	0

AGENCY	Requests received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Wyndham-East Kimberley, Shire of	0	1	0	0	0
<i>Sub-total: Local Governments</i>	<b>64</b>	<b>79</b>	<b>16</b>	<b>0</b>	<b>2</b>
<b>Police</b>					
Police Force, Western Australia	60	36	21	1	2
<i>Sub-total: Police</i>	<b>60</b>	<b>36</b>	<b>21</b>	<b>1</b>	<b>2</b>
<b>Universities</b>					
Edith Cowan University	2	2	0	0	0
<i>Sub-total: Universities</i>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>310</b>	<b>235</b>	<b>96</b>	<b>2</b>	<b>6</b>

SUMMARY	Requests received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Boards, Committees, Commissions, Authorities, Corporations	33	20	11	0	0
Departments (except Police and Health related agencies)	127	76	42	1	2
Health Related Agencies	24	22	6	0	0
Local Governments	64	79	16	0	2
Ministers	0	0	0	0	0
Police	60	36	21	1	2
Universities	2	2	0	0	0
<b>TOTAL</b>	<b>310</b>	<b>235</b>	<b>96</b>	<b>2</b>	<b>6</b>

**Table 16: Applications for amendment of personal information**

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

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

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

AGENCY	Applications received	DECISIONS			
		Amended	Not Amended	Amended (not as requested)	Withdrawn
Canning, City of	1	0	0	1	0
EMHS - Armadale Kalamunda Group	2	1	1	0	0
EMHS - Royal Perth Bentley Group	10	4	2	4	0
Health, Department of	1	0	1	0	0
Justice, Department of	5	0	5	0	0
Kojonup, Shire of	54	53	0	0	0
Melville, City of	1	0	0	1	0
Murray, Shire of	0	0	1	0	0
NMHS - Mental Health	5	4	1	0	0
NMHS - Sir Charles Gardiner Hospital	1	0	1	0	0
Plantagenet, Shire of	0	0	0	0	0
Police Force, Western Australia	4	0	3	0	1
Public Advocate, Office of the	1	0	1	0	0
SMHS - Rockingham Peel Group	7	6	1	0	0
Stirling, City of	1	0	0	1	0

AGENCY	Applications received	DECISIONS			
		Amended	Not Amended	Amended (not as requested)	Withdrawn
Transport, Department of	3	0	0	0	3
WACHS - Great Southern	1	0	1	0	0
WACHS - Midwest	1	0	1	0	1
WACHS - Pilbara	1	0	0	0	1
WACHS - South West	2	2	0	0	0
Wyndham-East Kimberley, Shire of	0	1	0	0	0
<b>TOTAL</b>	<b>101</b>	<b>71</b>	<b>19</b>	<b>7</b>	<b>6</b>

SUMMARY	Applications received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Boards, Committees, Commissions, Authorities, Corporations	1	0	1	0	0
Departments (except Police and Health related agencies)	9	0	6	0	3
Health Related Agencies	30	17	8	4	2
Local Governments	57	54	1	3	0
Ministers	0	0	0	0	0
Police	4	0	3	0	1
Universities	0	0	0	0	0
<b>TOTAL</b>	<b>101</b>	<b>71</b>	<b>19</b>	<b>7</b>	<b>6</b>

**Table 17: Applications for internal review of decisions regarding amendment of personal information**

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

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

AGENCY	Requests received	OUTCOME			
		Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Justice, Department of	4	4	0	0	0
NMHS - Mental Health	1	1	0	0	0
<b>TOTAL</b>	<b>7</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Table 18: Fees paid and charges collected for access applications**

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

No fees or charges apply for applications that are limited to personal information about the applicant only.

However, if the applicant is seeking more than their own personal information (a non-personal application), an application fee of \$30 is required to make a valid access application under the FOI Act. An agency may choose to impose charges – in accordance with the FOI Act and FOI Regulations – for dealing with a non-personal access application. The decision to impose charges for dealing with a non-personal access application is at the discretion of the agency.

AGENCY	Application fees collected (\$)	Charges collected (\$)
<b>Boards, Committees, Commissions, Authorities, Corporations</b>		
Aqwest	30	30
Chemistry Centre Western Australia	30	0
DevelopmentWA	210	0
Electoral Commission, Western Australian	30	0
Forest Products Commission	120	0
Gold Corporation	30	0
Horizon Power	30	30
Insurance Commission of Western Australia	4,400	0
Landgate	420	0
Legal Practice Board	90	0
Lotteries Commission	30	0
Mental Health Commission	30	0
Metropolitan Cemeteries Board	300	300

AGENCY	Application fees collected (\$)	Charges collected (\$)
Public Advocate, Office of the	82	82
Public Sector Commission	150	0
Public Transport Authority	780	0
Public Trust Office	30	30
Racing and Wagering Western Australia	240	0
Salaries and Allowances Tribunal	30	0
School Curriculum and Standards Authority	120	0
Small Business Development Corporation	150	0
Southern Ports Authority	30	0
Sports Centre Trust (VenuesWest)	90	0
Water Corporation	780	0
Western Power	810	720
WorkCover Western Australia	3,600	0
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	<i>12,642</i>	<i>1,192</i>
<b>Departments (except Police and Health related agencies)</b>		
Biodiversity, Conservation and Attractions, Department of	1,200	0
Communities, Department of	3,270	2,115
Education, Department of	1,200	0
Energy, Mines, Industry Regulation and Safety, Department of	21,150	0
Finance, Department of	510	0
Fire and Emergency Services, Department of	6,720	0
Health, Department of	900	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
Jobs, Tourism, Science and Innovation, Department of	480	0
Justice, Department of	1,230	0
Local Government, Sport and Cultural Industries, Department of	660	0
Main Roads Western Australia	1,110	0
North Metropolitan TAFE	120	0
North Regional TAFE	30	0
Planning, Lands and Heritage, Department of	2,580	0
Premier and Cabinet, Department of the	1,380	0
Primary Industries and Regional Development, Department of	870	0
Training and Workforce Development, Department of	660	0
Transport, Department of	5,220	1,497
Treasury, Department of	210	0
Water and Environmental Regulation, Department of	6,990	0
<i>Sub-total: Departments</i>	<i>56,490</i>	<i>3,612</i>
<b>Health Related Agencies</b>		
C&AHS - Perth Children's Hospital	330	0
Chief Psychiatrist, Office of the	30	0
EMHS - Armadale Kalamunda Group	720	720
EMHS - Corporate Office	240	0
Royal Perth Bentley Group	14,700	14,700
<i>Sub-total: Health Related Agencies</i>	<i>16,020</i>	<i>15,420</i>
<b>North Metropolitan Health Services (NMHS)</b>		



AGENCY	Application fees collected (\$)	Charges collected (\$)
NMHS - Corporate Office	120	120
NMHS - King Edward Memorial Hospital	120	0
NMHS - Mental Health	210	0
NMHS - Sir Charles Gairdner Hospital	6,960	0
<i>Sub-total: NMHS</i>	<i>7,410</i>	<i>120</i>
<b>South Metropolitan Health Services (SMHS)</b>		
SMHS - Fiona Stanley Fremantle Hospital Group	13,710	0
SMHS - Rockingham Peel Group	13,710	1,125
<i>Sub-total: SMHS</i>	<i>16,290</i>	<i>1,125</i>
<b>Western Australia Country Health Services (WACHS)</b>		
WACHS - Central Office	300	0
WACHS - Goldfields	1,080	0
WACHS - Great Southern	1,080	0
WACHS - Kimberley	2,130	0
WACHS - Midwest	280	280
WACHS - Pilbara	1,830	0
WACHS - South West	3,210	0
WACHS - Wheatbelt	600	600
<i>Sub-total: WACHS</i>	<i>10,510</i>	<i>880</i>
<i>Sub-Total: Health Related Agencies</i>	<i>50,230</i>	<i>17,545</i>
<b>Local Governments</b>		
Albany, City of	300	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
Armadale, City of	630	0
Ashburton, Shire of	150	2,617
Augusta-Margaret River, Shire of	450	600
Bassendean, Town of	330	803
Bayswater, City of	510	510
Belmont, City of	390	1,525
Bridgetown-Greenbushes, Shire of	30	0
Broome, Shire of	120	292
Bunbury, City of	270	270
Busselton, City of	690	150
Cambridge, Town of	660	0
Canning, City of	630	570
Capel, Shire of	60	276
Carnamah, Shire of	30	30
Carnarvon, Shire of	30	30
Claremont, Town of	360	1,500
Cockburn, City of	990	1,020
Cottesloe, Town of	180	1,590
Cranbrook, Shire of	60	60
Cunderdin, Shire of	60	0
Dandaragan, Shire of	60	60
Dardanup, Shire of	30	145

AGENCY	Application fees collected (\$)	Charges collected (\$)
Denmark, Shire of	120	510
Derby-West Kimberley, Shire of	90	564
Donnybrook-Balingup, Shire of	30	0
East Pilbara, Shire of	150	0
Esperance, Shire of	240	0
Exmouth, Shire of	60	120
Fremantle, City of	510	0
Gingin, Shire of	180	0
Gosnells, City of	570	570
Greater Geraldton, City of	120	0
Harvey, Shire of	60	0
Joondalup, City of	2,190	0
Kalamunda, City of	720	0
Kalgoorlie-Boulder, City of	450	0
Karratha, City of	330	1,196
Katanning, Shire of	597	0
Kellerberrin, Shire of	30	80
Kojonup, Shire of	30	60
Kwinana, City of	270	60
Leonora, Shire of	30	0
Mandurah, City of	390	0
Manjimup, Shire of	150	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
Melville, City of	1,320	0
Merredin, Shire of	30	150
Mosman Park, Town of	300	0
Mundaring, Shire of	360	0
Murray, Shire of	30	0
Nannup, Shire of	30	0
Narrogin, Shire of	60	0
Nedlands, City of	210	0
Northam, Shire of	210	625
Northampton, Shire of	30	30
Peppermint Grove, Shire of	60	60
Perth, City of	930	2,127
Port Hedland, Town of	150	0
Ravensthorpe, Shire of	60	0
Rockingham, City of	600	0
Serpentine-Jarrahdale, Shire of	330	90
South Perth, City of	330	1,470
Stirling, City of	2,460	0
Subiaco, City of	360	0
Swan, City of	1,590	787
Victoria Park, Town of	300	0
Vincent, City of	180	0

AGENCY	Application fees collected (\$)	Charges collected (\$)
Wanneroo, City of	1,440	0
Waroona, Shire of	240	0
West Arthur, Shire of	30	0
Yilgarn, Shire of	30	30
York, Shire of	60	0
<i>Sub-Total: Local Governments</i>	<i>26,067</i>	<i>20,577</i>
<b>Ministers</b>		
Buti MLA, Hon Dr T A	150	0
Carey MLA, Hon J N	150	0
Ellery MLC, Hon S M	60	0
Jarvis MLC, Hon J	60	0
McGurk MLA, Hon S F	30	0
Michael MLA, Hon D R	180	0
Papalia MLA, Hon P	210	0
Punch MLA, Hon D T	30	0
Quigley MLA, Hon J R	30	0
Saffioti MLA, Hon R	210	0
Sanderson MLA, Hon A	90	0
Templeman MLA, Hon D A	60	0
Whitby MLA, Hon R R	210	0
<i>Sub-Total: Ministers</i>	<i>1,470</i>	<i>0</i>

AGENCY	Application fees collected (\$)	Charges collected (\$)
Police Force, Western Australia	53,310	0
<i>Sub-Total: Police</i>	<i>53,310</i>	<i>0</i>
<b>Universities</b>		
Curtin University of Technology	180	0
Edith Cowan University	60	0
Murdoch University	60	0
University of Western Australia, The	120	0
<i>Sub-Total: Universities</i>	<i>420</i>	<i>0</i>
<b>TOTAL</b>	<b>200,629</b>	<b>42,926</b>

SUMMARY	Application fees collected (\$)	Charges collected (\$)
Boards, Committees, Commissions, Authorities, Corporations	12,642	1,192
Departments (except Police and Health related agencies)	56,490	3,612
Health Related Agencies	50,230	17,545
Local Governments	26,067	20,577
Ministers	1,470	0
Police	53,310	0
Universities	420	0
<b>TOTAL</b>	<b>200,269</b>	<b>42,926</b>

**Table 19: Charges reduced by agencies**

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

AGENCY	\$ charges reduced	Reason for reduction in charges		
		Impecunious	Pensioner	Other
Gold Corporation	60	0	0	2
Greyhound Racing Association, Western Australian	250	0	0	2
Legal Practice Board	30	0	0	1
Pilbara Ports Authority	1	0	0	1
Public Advocate, Office of the	1	0	1	0
School Curriculum and Standards Authority	30	0	0	1
Synergy	9	0	0	0
<i>Sub-Total: Boards, Committees, Commissions, Authorities, Corporations</i>	<b>381</b>	<b>0</b>	<b>1</b>	<b>7</b>
Fire and Emergency Services, Department of	25,755	0	0	220
South Metropolitan TAFE	30	1	0	0
<i>Sub-Total: Departments</i>	<b>25,785</b>	<b>1</b>	<b>0</b>	<b>220</b>
EMHS - Armadale Kalamunda Group	30	0	1	0
<i>Sub-total: EMHS</i>	<b>30</b>	<b>0</b>	<b>1</b>	<b>0</b>
Health Support Services	30	0	0	0
NMHS - PathWest Laboratory Medicine WA	1,110	0	0	37
<i>Sub-total: NMHS</i>	<b>1,140</b>	<b>0</b>	<b>0</b>	<b>37</b>
<i>Sub-Total: Health Related Agencies</i>	<b>1,170</b>	<b>0</b>	<b>1</b>	<b>41</b>

AGENCY	\$ charges reduced	Reason for reduction in charges		
		Impecunious	Pensioner	Other
Bassendean, Town of	128	0	1	2
Broome, Shire of	60	0	0	2
Bunbury, City of	60	0	0	0
Carnamah, Shire of	60	0	0	0
Carnarvon, Shire of	30	0	0	0
Cottesloe, Town of	1,140	1	0	0
Fremantle, City of	550	0	0	0
Karratha, City of	2,442	0	0	7
Nedlands, City of	5	0	0	5
South Perth, City of	30	0	1	0
Swan, City of	202	0	0	1
<i>Sub-Total: Local Governments</i>	<b>4,707</b>	<b>1</b>	<b>3</b>	<b>52</b>
<b>TOTAL</b>	<b>32,043</b>	<b>2</b>	<b>5</b>	<b>320</b>



AGENCY	\$ charges reduced	Reason for reduction in charges		
		Impecunious	Pensioner	Other
Boards, Committees, Commissions, Authorities, Corporations	381	44	1	7
Departments (except Police and Health related agencies)	25,785	1	0	220
Health Related Agencies	1,170	0	1	41
Local Governments	59,237	1	3	52
Ministers	0	0	0	0
Police	0	0	0	0
Universities	0	0	0	0
<b>TOTAL</b>	<b>86,573</b>	<b>46</b>	<b>5</b>	<b>320</b>