



Freedom of Information Newsletter

Number 26 – November 2019

From the Information Commissioner

At the end of September, I submitted my 2018/2019 [Annual Report](#) to Parliament. The report includes the results of the freedom of information statistical returns completed by WA State and local government agencies. This year showed a 12% rise in the number of access applications received by agencies in 2018/19 compared with 2017/28 (17,258 to 19,258). This increase was not consistent across all the agencies, but I acknowledge that some agencies have experienced a significant increase in the number of access applications they receive.

I encourage decision makers to read the conciliation case studies and decision summaries at [pages 10 to 19](#) of the Annual Report for an overview of some of the key issues considered in the external review applications that my office dealt with during the year.

Later in this Newsletter there is reference to our FOI in WA Conference. If you are an agency officer and you haven't already registered, I encourage you to consider taking the opportunity to join us for a day of discussion and learning about the role and responsibilities of agencies in dealing with freedom of information in Western Australia.

As we approach the end of a busy year, I would like to acknowledge the work of agency FOI officers. FOI officers have the capacity to make a citizen's interaction with government under the FOI Act a positive experience. Those officers can make all the difference so that access applicants feel that they have been treated with respect and understanding, and have a voice. In the last financial year, 16,797 decisions were made under the FOI Act. I recognise the critical role that FOI decision makers and FOI officers play in helping to achieve the legislative objects of the FOI Act of enabling the public to participate in the governing of the State and making government more accountable to the public.

Catherine Fletcher, Information Commissioner

FOI in WA – Community attitudes to information access in WA

Earlier this year, we joined a number of Australian Information Access Commissioners and Ombudsman in a study that surveyed residents in each jurisdiction to measure public awareness on the right to access government information, and the experiences and outcomes in exercising that right.

350 West Australians were surveyed on their attitudes and experiences in accessing government information. Some of the results for the WA survey include:

- 48% of respondents felt that the right to access information held by government agencies was very important and a further 39% felt it was quite important.
 - If they wanted to seek information from a WA State or local government agency, 44% would attempt to access the information through a specific agency's website, while 24% would call or visit the agency.
 - One in six respondents were unsure about how they would access information held by a WA State or local government agency.
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The full results of the WA survey are available [<here>](#).

The OIC is considering how it can use the results of the survey to inform our strategy to best assist the public to understand and effectively exercise their rights under the FOI Act.

World of FOI – Community attitudes to information access within Australia

Key results of the community attitude survey across the information access jurisdictions is summarised [<here>](#). The Information Access Commissioners and Ombudsman released a media statement about this summary, which is available [<here>](#).

Some of the jurisdictions have also published the more detailed reports showing the results of the surveys conducted for their jurisdiction:

- [Office of the Australian Information Commissioner](#)
- [Queensland Office of the Information Commissioner](#)
- [Office of the Victorian Information Commissioner](#)

It is pleasing to note that Western Australia was the jurisdiction with the highest rate of success when people sought access to information. In WA, of the people who had tried to access information from WA government agencies in the last three years, 91% were successful in part or in full. The jurisdiction with the next highest rate of success was NSW with 80%.

Agency News – Christmas and FOI timeframes

A reminder to agencies that the ‘permitted period’ for dealing with an access application is not extended simply because an agency has a Christmas shutdown period.

The FOI Act includes a number of timeframes within which decisions and applications for review need to be made. Those timeframes are not limited to working days. Public holidays and office shutdown days are included in the calculation of the time in which a decision or application for review can be made. Applicants and agencies are encouraged to plan for the holiday period in relation to FOI applications with a full understanding of how the required timeframes in the FOI Act are calculated.

To assist you to calculate timeframes under the FOI Act, we have created a guide, [Calculating time and days](#), available on our website. Remember that some timeframes may be extended by agreement between an agency and the access applicant.

FOI in WA Conference – 21 November 2019 (registrations close 14 November 2019)

Over 250 agency officers have already registered for our second FOI in WA Conference, to be held at Fiona Stanley Hospital on 21 November 2019. Don’t miss out – register [<here>](#).

There are still seats available for both the full day conference and morning only session. The morning will include a keynote speech by Emeritus Professor Geoff Gallop AC, followed by a panel discussion where Professor Gallop will be joined by the Auditor General, Caroline Spencer; the Director General of the Department of Communities, Michelle Andrews; and the Chief Executive Officer of the City of Gosnells, Ian Cowie, in a discussion led by the Information Commissioner about the role and challenges of FOI and open government in the current environment.

An outline of the FOI in WA conference program is available at <https://www.oic.wa.gov.au/en-au/Home/FOI-in-WA-Conference>.

FOI training calendar – 2020 workshop calendar now available

The 2020 schedule for the FOI Coordinators Workshops and the FOI Decision Writing Workshops is available on our website <[here](#)>.

Spaces are still available for the final FOI Coordinators Workshop scheduled for this year on 3 December 2019.

Subscription and feedback

Click <[here](#)> to subscribe to the FOI Newsletter and decision announcements.

Click <[here](#)> to provide your feedback or suggestions for the FOI Newsletter and for our other Advice and Awareness services.

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