



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2022-2023

Mr James Milligan MLA (Chair), Mr Andrew Braddock MLA (Deputy Chair),
Dr Marisa Paterson MLA

ANSWER TO QUESTION ON NOTICE

Peter Cain MLA: To ask the Special Minister of State

1. What is the current FTE headcount of the ACT Public Service (ACTPS)?
2. How many staff across the ACTPS are currently working as FOI officers, in a full time, part time or casual capacity (with this breakdown) in the following agencies: CSD, EPSDD, TCCS, CMTEDD, CIT?
3. How many staff across the ACTPS are trained as FOI officers in the following agencies: CSD, EPSDD, TCCS, CMTEDD, CIT?
4. Has the Government actioned the following Deloitte report *Freedom of Information Review (2020)* recommendations:
 - a. The ACT Government should consider making temporarily funded FOI FTE permanently funded.
 - b. The ACT Government should consider technology to reduce manual processing and increase efficiencies.
 - c. A review to take place in 2022-23 to ensure FTE's are adequate.
 - i. What timeline will this review be undertaken within?
5. How often are FOI disclosure logs reviewed for each ACT Government agency (please provide a figure for each agency)?
 - a. For each agency, what percentage of FOIs (including withdrawals and closures) are disclosed?
 - b. How often are disclosure logs audited for each agency?
 - c. When was the last time each agency audited their FOI disclosure log?

CHRIS STEEL MLA: The answer to the Member's question is as follows: –

1. The ACT Public Service Employee FTE as at 30 June 2022 was 23,762.9.
2. Refer to response provided to Estimates 2022 Question Taken on Notice No. 158.
3. As mentioned in the Estimates hearing on 30 August 2022, the ACT does not have in place a formal FOI accreditation process for the processing of applications received under the *Freedom of Information ACT 2016* (the FOI Act). The skills and capabilities will vary depending on the role the officer undertakes in the FOI process.

Staff may be required to undertake the discovery documents, schedule documents, determine if the documents fall within the parameters of the legislation and then there are information officers who make a decision to release documents under the FOI Act.

- 4.a. Resourcing requirements for processing FOI applications are considered as part of the budget process.
- 4.b. Directorates and agencies continually explore technological solutions to drive efficiencies in the FOI process. However, this is a complex process and due to the number of complexity of documents involved in an FOI, each document needs to be individually assessed.

As identified in the Deloitte report, there is no silver bullet when it comes to the use of technology in FOI, with there being no single solution capable of collating and applying a public interest test to determine whether information should be released.

Solutions vary according to the operational and technological context of the particular entity (i.e., level of reliance on paper records, case management systems etc). The Chief Minister, Treasury and Economic Development Directorate for instance, uses software to convert all document types to PDF. PDF software is then used to process redactions, with a system add-on deployed to identify duplicates.

- 4.c. The ACT Government funded 12 FTE positions in the 2021-22 budget for a period of two years to support processing applications received under the FOI Act across six directorates. Ongoing resourcing requirements for processing FOI applications will be considered as part of the 2023-24 budget process.
- 5. Refer to response provided to Estimates 2022 QTON Question Taken on Notice No. 160.

Approved for circulation to the Select Committee on Estimates 2022-2023

Signature:



Date:

7/9/22

By the Special Minister of State, Chris Steel MLA