



Freedom of Information Newsletter

Number 13 – May 2017

From the Information Commissioner – Machinery of government changes

As we approach a new financial year that will bring significant machinery of government changes, I encourage agencies to include freedom of information in their planning and preparation for change. This includes ensuring that documents from former structures are readily locatable and accessible and officers in new structures are aware of where to direct any freedom of information enquiries. Effective planning will assist agencies to comply with section 4 of the FOI Act, which requires that agencies give effect to the FOI Act in a way that assists the public to obtain access to documents promptly and at the lowest reasonable cost.

FOI in WA Conference – 10 August 2017

Registrations are now open. Register online at: <http://www.wa.ipaa.org.au/FOI-Conference.aspx>. Payment is required with your registration. For more information about the conference go to: <http://foi.wa.gov.au/Conference2017>.

For regional officers who may be travelling to Perth to attend, the OIC will also deliver an FOI Coordinators Workshop on 11 August 2017. There is no charge for attending the FOI Coordinators Workshop.

Registration for the FOI in WA Conference and FOI Coordinators Workshop is limited to Western Australian State and local government officers.

Agency training – The Information Commissioner travels to the Murchison

Early this month the Commissioner travelled to the Murchison to deliver an FOI Coordinators Workshop for local government staff in the region. Officers from the shires of Cue, Mount Magnet, Meekatharra, Yalgoo and Murchison gathered in the historic town of Cue for a full day of training. The Commissioner also had the opportunity to meet with CEOs from Mount Magnet, Cue and Meekatharra. By the Commissioner travelling to Cue, the shires were able to receive training at considerably less cost and with less disruption than sending staff to Perth.

Did you know? – Your external review feedback is important to us

One of the key performance indicators for the Office of the Information Commissioner is the level of satisfaction with the external review process by the parties to each of the complaints finalised during the year. This is measured using a Post Review Questionnaire (PRQ) sent to the parties to any completed 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. The higher the response rate to the surveys, the greater the reliance that we can place on the accumulated data to improve our processes. We encourage all parties to a completed external review to complete the PRQ even if you may have completed a PRQ for an earlier external review. Responses in relation to each external review help us to gauge and ensure the validity of our reporting. All feedback is reviewed by the Commissioner.

Agency news – Statistical returns and machinery of government changes

The first round of machinery of government (**MoG**) changes recently announced by the State Government are to take effect from 1 July 2017. FOI coordinators in agencies impacted by the MoG changes should bear in mind that they remain obliged to complete an FOI Statistical Return that reflects the FOI activity and structure of the agency as it existed pre 1 July 2017.

To make this process easier for affected agencies during this very busy time, the online statistical return webpage will be made available to them earlier than usual – in early June 2017. This will permit most of the required data to be entered and saved ready for completion and submission on or after 30 June 2017.

Agencies unaffected by the MoG changes will be asked to complete the statistical returns according to the usual schedule.

Recent decisions of the Information Commissioner

Re ‘Q’ and Western Australia Police [\[2017\] WAICmr 7 \(PDF\)](#)

The complainant applied for access to audio and video surveillance recordings presented by the prosecution at the complainant’s trial. The Commissioner found that the disputed documents were exempt under clause 3(1) of Schedule 1 to the FOI Act.

The agency’s decision was confirmed.

Re ‘R’ and SMHS - Rockingham Peel Group [\[2017\] WAICmr 8 \(PDF\)](#)

The complainant applied for access to reports about hospital admissions of the complainant’s child. The Commissioner found that the disputed documents were exempt under clause 3(1) of Schedule 1 to the FOI Act.

The agency’s decision was confirmed.

Re Wong and Department of Culture and the Arts [\[2017\] WAICmr 9 \(PDF\)](#)

The complainant applied for access to documents relating to the investigation of grievances the complainant had lodged with the agency. The Commissioner found that the disputed documents were exempt under clause 3(1) of Schedule 1 to the FOI Act.

The agency’s decision was confirmed.

FOI training news

The 2017 training dates for agencies can be found [<HERE>](#). If a session is listed as fully booked, please register for the relevant waitlist. This will give us the opportunity to contact you if there are cancellations or, if there is considerable demand, to schedule another training session.

The **FOI Coordinators Workshop** introduces participants to the objects and principles of the FOI Act and the major features of the legislation. Topics include the role of decision-makers; FOI applications; exemptions; consultation with third parties; charges; notices of decision and review; amendment of records; publication of information; statistics; and reporting.

The **Decision Writing Workshop** is designed to enhance decision-makers’ skills and confidence in writing a notice of decision that complies with the FOI Act. Participants will be expected to already have a basic understanding of the requirements of the FOI Act.

Subscription and feedback

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Click [<HERE>](#) to provide your feedback or suggestions for the FOI Newsletter.

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