



Australian Government

Office of the Australian Information Commissioner

FOI Statistics Guide

Quarterly and Annual FOI statistical returns to the OAIC
Freedom of Information Act 1982 (FOI Act)



13 June 2024

OAIC

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A copy of the quarterly and annual returns forms (as presented in the FOIstats database) is attached to this Guide (refer Attachments pages 16 to 21).

Key points

- The *Freedom of Information Act 1982* (Cth) (FOI Act) requires all agencies subject to the FOI Act to provide information to the Office of the Australian Information Commissioner (OAIC) for inclusion in the OAIC's Annual Report.
- Agencies subject to the FOI Act must provide their quarterly and annual statistical returns, in relation to freedom of information matters, within the statutory timeframes set out in the *Freedom of Information (Prescribed Authorities, Principal Offices and Annual Report) Regulations 2017*.
- Separate returns need be completed for each minister, assistant minister (or parliamentary secretary), department and other government agency. If no FOI requests have been received during the reporting period, a 'Nil Return' must be submitted in the database.

Who must complete a return?

For information about agencies subject to the FOI Act, and which must complete a return, or have a return completed for them by the portfolio department, please see the Part 2 of the [FOI Guidelines](#) - Scope of application of the FOI Act.

You can contact the OAIC's Enquiries Line on 1300 363 992 (Monday to Thursday, 10 am to 4 pm (AEST/AEDT)) or submit an online [Enquiry form](#) to find out whether your organisation is already submitting returns.

Reporting deadlines

Reporting deadlines for providing statistical information to the OAIC are established by regulation 8 of the *Freedom of Information (Prescribed Authorities, Principal Offices and Annual Report) Regulations 2017*. The deadlines for submitting returns are:

For quarterly statistical returns about FOI requests and outcomes:

- 1 July to 30 September: **21 October**
- 1 October to 31 December: **21 January**
- 1 January to 31 March: **21 April**
- 1 April to 30 June: **21 July**

For annual returns, about staff resources and other costs and comparisons with previous years

- For each year ending 30 June: **31 July**

It is important that agencies comply with these deadlines because the *Australian Information Commissioner Act 2010* requires the Australian Information Commissioner to prepare the OAIC's Annual Report as soon as practicable after 30 June each year. Summary information from the returns is included in the OAIC's Annual Report and the full data set from agency returns, including agency comments, is published separately on [data.gov.au](#).

How to complete returns

Returns are submitted through an internet portal: <https://foistats.oaic.gov.au/>.

The information in this Guide explains how to use the portal to lodge quarterly and annual statistical returns. For more detailed information, or for assistance to resolve problems, you can call the OAIC's Enquiries Line on 1300 363 992 (Monday to Thursday, 10 am to 4 pm (AEST/AEDT)) or submit an online [Enquiry form](#).

Logging on to the web portal

Each agency has its own unique logon with a user ID and password. Your user ID is separate and distinct from your registered email account. If you have forgotten your password you can request a new password from the logon screen. Details will be emailed to the email account registered for your agency in the database. If you have forgotten or do not know your user ID, or if you do not receive a new temporary password after requesting one from the logon screen, please call the OAIC enquiries line on 1300 363 992 or submit an online [Enquiry form](#).

Whitelisting and access to web portal

Some users may require a 'whitelisting' of their IP Address to enable secure access to the portal. If you experience a 'timeout error', please send a request for whitelisting using the online [Enquiry form](#) and advise of your IP address. This is a temporary issue.

Agency contact details

Once logged into the portal your agency's dashboard includes the following:

- **Agency details:** The name of the agency and portfolio, and the name and telephone number of a contact officer for the agency who is able to answer inquiries about the information supplied in the return. Agencies are encouraged to use a generic mailbox or email address, for example foi@agency.gov.au to prevent emails being delivered if an officer is on leave.
- **Password change:** Users can change and update passwords within the portal and should do so on a regular basis using the 'Forgotten your password' link on the home page. Password change emails are delivered to the Agency's registered email address as recorded on the database. Check junk and spam folders if a temporary password email is not received.
- **Password requirements:** Your password must:
 - have a minimum of 14 characters
 - include at least 3 different letters
 - contain at least 1 number
 - contain at least 1 symbol (for example !#*<)
 - not include any spaces.

Passwords and USER IDs are case sensitive.

Note: For agencies administering another agency's returns, the first screen when you log on lists all the agencies you administer, including your own. Please ensure the contact details are up to date for your own agency because that is the email address to which reminder emails for all agencies administered by you will be sent.

The quarterly returns

General

When submitting electronic returns, you must enter your quarterly returns in *sequential order* (quarter one, then quarter 2, etc). You cannot enter data for a later quarter's return until you have completed all earlier quarterly returns for the reporting year.

You can amend the current year's quarterly returns at any time until 21 July when the final (fourth) quarterly return is due, however you cannot amend returns for previous reporting years (because the database has been locked).

If the first quarter 'carry over' figures from the previous financial year needs adjustment you can submit an [Enquiry form](#) asking for the carry over figures to be changed – you will need to provide the correct number of requests (both personal and other) on hand at the beginning of the year. You will also need to provide a reason why the carry over figures are not correct.

Reconciling quarterly returns

Each quarterly return should be reconciled with the previous quarterly return to ensure carry overs of FOI requests have been made correctly. The FOIstats database will not accept a return that is inconsistent with the previous return.

1 – Agency Quarterly Details

Dates

The financial year being reported and the quarter you are to complete are displayed on your agency's dashboard. These are system-generated dates and cannot be changed by the user.

Abolition of an agency

When an agency is abolished, the last quarterly and annual returns must be entered on the FOIstats portal. These final returns, including the annual return, should be submitted as soon as practicable after the abolition of the agency and should not be left until the end of the reporting year when reporting FOI statistics accurately will be more difficult and time consuming.

When you select the relevant quarterly return, you will see a tick box asking if this is the last quarterly return for your agency because it is being abolished. To submit a final quarterly return and annual return, complete all relevant data fields and then check the box which asks '*Is this your agency's last quarterly return?*' and then select the 'Save' button. (Note: you need to select the '*last return*' checkbox on **both** the quarterly and annual return forms.)

Generally there should be no outstanding FOI requests when an agency is abolished (i.e. the total number of requests at **2D** – outstanding at end of period – should be 0). All FOI requests should have been finalised (including by being transferred to another agency). This requirement also applies to ministers if a new ministry does not include a similarly titled minister/assistant minister.

Note: until the end of the financial year your (abolished) agency will continue to receive automated emails reminding you to complete your quarterly and annual returns. This is a feature of the FOIstats database that the OAIC cannot change. Please use these reminders as an opportunity to check that the final quarterly and annual returns for the abolished agency have been completed and that the '*Is this your agency's last quarterly return because your agency is being abolished?*' check box has been ticked on both the quarterly and annual return forms.

Machinery of government changes can occur at any time of the year. It is important that you contact the OAIC (by submitting an [Enquiry form](#)) to ensure the FOIstats database entry reflects any new Administrative Arrangement Orders.

In some cases all that will be required is a change to the name of your agency on the database. However, if the functions of your agency change substantially the OAIC may need to create a new agency and you will need to follow the steps outlined above to finalise your former (abolished) agency on the portal.

The FOI Statistics portal records ministers' titles, not the name of the incumbent. As a result, when a new minister is appointed, no change needs to be made on the FOI Statistics portal. However, if the ministerial post changes (for example, because of additional ministerial responsibilities) the name of the ministerial post may need to be changed on the database. Please advise the OAIC as soon as possible about ministerial changes that your agency is responsible for. If the ministerial post is abolished, you will need to enter the minister's final quarterly return and complete the annual return (as outlined above).

Nil Returns

A 'Nil Return' must be submitted where there is no activity at all to report for the period; that is, if there is no data to be entered in the quarterly return. The FOI Statistics portal does not recognise that you have completed your entry if you leave zeros in the data fields.

To submit a Nil return, check the 'Nil Return' box and confirm when prompted. This will clear all fields except the carry-over from the previous quarter.

2 – Request Numbers

A request for documents or information should be included in this part only if it satisfies the requirements of s 15 of the FOI Act. Do not include requests by current or former agency employees for access to their personnel records made under s 15A of the FOI Act.

For the purpose of inclusion in the quarterly report, a request must be one which:

- is in writing
- states that it is a request for the purposes of the FOI Act
- provides such information as is reasonably necessary to enable identification of the requested documents
- gives details about how notices under the FOI Act may be sent to the applicant.

A communication requesting access to documents should be counted as one request regardless of the number of documents or categories of documents to which access is sought, or the fact that documents may be held in different areas of an agency, for example *'I request all files about me and also any document relating to the taxation of child support payments'*.

An application for internal review of an agency's decision, or an appeal against an agency's decision that is being considered by the Information Commissioner, the Administrative Appeals Tribunal (AAT) or the Federal Court, are not 'requests' for the purposes of questions **2 – 7** of the quarterly return (internal review statistics are captured on page 2 of the quarterly statistical return).

Agencies are asked to classify each request as being for 'Predominantly Personal Information' where personal information is the predominant kind of information sought.

‘Personal information’ is defined in s 4(1) of the FOI Act by reference to the definition in the *Privacy Act 1988*. In summary, ‘personal information’ means information or an opinion about an identified individual or an individual who is reasonably identifiable.

For the purpose of the FOI Statistics portal, ‘Personal Information’ includes both an applicant's own information and information about other individuals.

2A is a system-generated figure which brings forward the number of requests on hand from the previous quarter. This should reflect the actual number of requests being processed at the beginning of the quarter. You can correct data entered in previous quarters within a reporting year if the carry over number is not correct.

If the first quarter carry over from the previous financial year is not correct the OAIC can change this however you need to make a written request, including reasons, by submitting an online [Enquiry form](#).

For the purposes of transfers from another agency in **2B**:

- do not include partial transfers and
- include transfers in whole from the Australian Capital Territory under s 16A of the FOI Act.

2C is a system-generated figure from **3** which records the number of requests where a decision on access was made during the quarter — you cannot manually enter data at **2C**. **2C** includes requests withdrawn during the quarter.

2D is a system-generated figure which reflects the sum of **2A** and **2B** less the figure in **2C**. You cannot manually enter data into **2D**.

3 – Processing of Requests

NOTE: There is an automated connection between question **3** and question **6** so you will not be able to save question **3** until you have completed question **6**.

3 is where you record the number of requests finalised during the quarter according to the type of decision made. The numbers you record at **3** will automatically populate the field at **2C** (as noted above).

For the purpose of **3**, when a decision has been made to grant access in full or in part and the applicant has been notified of the decision in writing, the request is regarded as finalised even if the relevant documents have not yet been sent to the applicant.

All requests where decisions were made granting access in whole or part should be recorded regardless of whether:

- access to documents has been deferred under s 21 of the FOI Act
- the applicant has sought review of the decision to grant access with deletions or to impose a charge for providing access to documents
- the applicant has indicated that, having regard to the charge imposed, they no longer seek access to the documents.

3A covers all requests where a decision was made to grant access to the requested documents in full.

3B covers all requests where a decision was made to grant partial access. This includes where:

- access was granted to an edited copy (see s 22 of the FOI Act) of a requested document (including if a

document was edited to remove irrelevant information under s 22(1)(b)(ii)) or

- the request related to 2 or more documents and access was refused to one or more documents.

3C covers all requests where the applicant was notified in writing that access was refused, including where access was refused because:

- the documents sought were not subject to the FOI Act
- the documents sought were exempt documents (Part IV of the FOI Act)
- no relevant documents could be found in the possession of the agency (s 24A of the FOI Act)
- a ‘*practical refusal reason*’ existed in relation to the request (under s 24 of the FOI Act), for example, if it was decided that processing the request would involve a substantial and unreasonable diversion of the agency’s resources (following the request consultation process in s 24AB).

For the purposes of **3C** *do not include*:

- requests where access was deemed to have been refused under s 15AC of the FOI Act because the time for notifying a decision expired (a ‘*deemed refusal*’)
- requests where access in the form sought was refused but access was given in another form.

For the purposes of **3D**, only include requests transferred *in full* to another agency.

For the purposes of **3E**, enter the number of requests withdrawn by the applicant or requests taken to have been withdrawn under the FOI Act. A request should be recorded as withdrawn only when:

- the applicant specifically indicated that they withdraw their request
- s 29(2) of the FOI Act applies (the applicant failed to respond to an estimate of charges and the request is taken to have been withdrawn)
- s 24AB(7) of the FOI Act applies (the applicant failed to respond to a request consultation notice and the request is taken to have been withdrawn).

4 – Use of practical refusal

This data assists understanding of the use of the practical refusal mechanism.

At **4A** include the number of FOI requests decided during the period where the applicant was notified in writing of an intention to refuse the request because a practical refusal reason existed (s 24AB(2) of the FOI Act) and then, at **4B**, include the number of those requests **that were subsequently processed**, other than through confirming the practical refusal or the request's withdrawal.

5 – Exemptions claimed

NOTE: This question does not require agencies to determine the main or primary exemption claimed; you need to include all exemptions applied for each FOI request decided.

This data assists in understanding how exemptions under the FOI Act are applied.

For all requests decided in the period, please indicate at **5B–5S** a count of the number of requests decided where that exemption was applied, regardless of whether or not the exemption determined the outcome of the request.

Only record each exemption applied **once** for each FOI request decided, even if that exemption

was used multiple times in relation to the request.

5A will be the count of requests decided during the period where exemptions were not relevant or not applied (for those requests decided during the period).

6 – Response Time

NOTE: The main purpose of **6** is to determine how many FOI requests were not decided within the statutory timeframes in the FOI Act and how long the delay in finalising requests was. Even if a ‘deemed refusal’ has occurred because the statutory period has elapsed, there is still an obligation for an agency to continue to process the request.

The response times in **6** only refer to initial decisions notifying the applicant that access was granted in full, in part, or was refused (**not** to internal reviews or amendment applications under s 48 of the FOI Act).

Note: the data entered at **6** must match the total of **3A + 3B + 3C**. Do not include requests finalised by transfer under s 16 (**3D**) or which were withdrawn (**3E**) in **6**. (The database will not let you save your entry unless the data entered at **6** matches the totals for **3A + 3B + 3C**.)

The number of requests where the applicant was notified of a decision within the applicable statutory time, whether or not access was granted, should be recorded at **6A**. The applicable statutory time period includes when the processing period has been extended under the FOI Act (for example, under ss 15(6), 15(8), 15AA, 15AB or 15AC) or where the FOI Act provides that the statutory time period has been suspended, for example, under ss 24AB(8) or 31.

If the statutory time period was not met, the time within which the decision was notified after the statutory period ended should be recorded at **6B**, **6C**, **6D** or **6E**. The period recorded at **6B–6E** is the number of calendar days after the day the statutory period ends, until the day of the notice of decision is sent to the applicant. For example, if the decision was made 20 days after the statutory period ended, record it at **6B**; if it was decided 75 days after the end of the statutory period record it at **6D**.

Where release of documents is staged over a period of time because of the size or difficulty of a request, the response time refers to notification of the decision. Where the size or difficulty of a request causes a series of decisions to be made, the relevant response time is the date of the last decision.

7 – Processing charges

NOTE: The FOI Act does not permit an applicant to be charged for access to their own personal information.

For **7A**, enter the number of FOI requests, regardless of when they were received, for which charges were notified during the quarter.

7B records the dollar amount of charges notified during the quarter. This is the dollar amount notified in the initial charges notice, not the final charge the agency decided to impose following consideration of the applicant’s financial hardship or public interest claims.

7C records the dollar amounts collected during the quarter, regardless of when the charge was

notified. The amount should reflect the total of charges, less any remissions or refunds. A simple test is how much cash was banked during the quarter.

Where charges were imposed for access to information about individuals other than the applicant, or imposed because the applicant's personal information is contained in a document that also includes other information which cannot be separated from the applicant's personal information, the charges should be recorded in the column titled 'Predominantly Personal Information'. All other charges should be recorded in the column titled 'Other'.

7A – Disclosure Log

7A gathers statistics from agencies and Ministers on the use of the disclosure log (under s 11C of the FOI Act). It includes information about the number of entries added during the quarter and how the documents released can be accessed, as well as the number of website visits to the agency's disclosure log webpage.

Only include data about the number of entries added to the agency's disclosure log during the quarter as either **A**, **B** or **C** depending on how the documents or information added to the disclosure log can be accessed.

A is where the information or document released is available by a direct link on the same website (or the information or document released is on the disclosure log page itself).

B is where the link from the disclosure log goes to a separate website.

C is where the entry does not link to a document or information but instead provides information about how the document or information released can be accessed.

If an agency collects or can access information on how many unique visitors have accessed the disclosure log webpage and how many webpages were viewed, please include that information at **D** and **E** or, if this information is not collected or accessible, tick the check box below **E**. (Note: the portal will automatically fill the 'Webpage visitor statistics to disclosure log pages not collected' checkbox if no data is entered at **7D** or **7E**.)

The 'disclosure log' webpages include the disclosure log index page/s **and** the webpages containing the released information/documents. Webpages in this context includes PDFs, RTFs and Excel documents etc., kept on a publicly accessible website.

Your website development or maintenance area should know if this information is currently kept or able to be accessed.

8 – Review of Access Decisions

(The second page of the return in the portal)

The FOI Act provides 3 ways a decision refusing access in accordance with a request can be reviewed:¹

- internal review by the agency under Part VI of the FOI Act

¹ The FOI Act does not prevent the Commonwealth Ombudsman from exercising their power to consider complaints under the *Ombudsman Act 1976* (see Division 3 of Part VII B, FOI Act). However, statistics are not collected by the OAIC on FOI complaints made to the Commonwealth Ombudsman.

- review by the Information Commissioner under Part VII of the FOI Act (IC review)
- review by the Administrative Appeals Tribunal (AAT) under Part VIIA of the FOI Act.

NOTE: Agencies only need to provide returns in relation to agency internal reviews. The OAIC uses its own statistics about IC reviews and collects information directly from the AAT on applications for AAT review of FOI decisions.

For the purposes of **8 (Internal review of access decisions)**, applications for internal review of decisions on charges must be included.

8A requires the number of applications for internal review received by the agency during the quarter to be entered.

The outcomes of internal reviews are recorded at **8B—8D**. These figures should relate to the number of internal review decisions made and notified during the reporting period. The number of internal review decisions will not necessarily be the same as the number of internal review applications received during the quarter.

8C(f) provides for internal review of an access grant decision that provides less access than provided in the original decision under review.

9 – Amendment of Personal Records

(The third page of the return in the portal)

This page collates information about applications made under s 48 of the FOI Act to amend or annotate personal records.

9A requires the number of applications under s 48 received during the quarter to be entered. An application by a person may contain a number of specific data elements to be amended or annotated – this application should still be treated as one application.

9B requires information about the time taken to notify the applicant of a decision in response to their application under s 48. This information should be given in respect of *all* applications under s 48 decided and notified during the quarter, regardless of when the application was received. The periods in **9B(b)** and **9B(c)** are calculated as the number of calendar days after the day the statutory period ends, until the day the notice of decision is sent to the applicant.

9C requires the number of applications received during the quarter for internal review of a decision made in response to a s 48 application.

9D requires the number of s 48 applications decided in the period, whenever received, which resulted in:

- alteration of the record
- addition of an appropriate annotation
- both an alteration and an addition of an appropriate annotation
- refusal or confirmation of a decision to refuse to amend or add an appropriate annotation, according to whether the decision was made in response to the initial application, or on internal review.

Where an application involves individual pieces of information to be amended or annotated and any part of the application is refused, the overall decision should be treated as a refusal.

The annual return

The annual return mainly relates to the costs of FOI or IPS work for the financial year. At the beginning of each financial year agencies should carefully consider how they will prepare answers to the questions in the annual return at the end of the year. This will ensure they keep sufficient information to accurately complete the return at the end of the year.

1 – Agency Annual Details

This specifies the financial year being reported. The year-of-report is system-generated and cannot be changed by the user. The number of requests received during the year is also displayed. This is also a system-generated figure that cannot be changed by the user (it is the total number of requests received, as reported in the agency's quarterly returns).

Abolition of Agency

1 asks whether the annual return for an agency is its final annual return. When an agency is abolished, it is a requirement of the winding up process that the agency provide its last annual return to the OAIC. The final return should be submitted as soon as practicable after the abolition of the agency and should not be left until the end of the reporting year when reporting FOI statistics accurately will be more difficult and time consuming. To submit a final annual return, check the box which asks *'Is this your agency's last annual return?'* and then select 'Save'.

Nil Returns

A 'Nil Return' should be submitted if there is nothing to report for the whole financial year. To submit a Nil return, check the 'Nil Return' box and confirm when requested.

2 – Staff resources involved in FOI and IPS Work

NOTE: FOI and IPS resources and costs should be counted and entered separately

2A and **2B** require information about staff resources in two categories:

- The number of staff who spent at least 75% of their time on FOI or IPS work and
- The number of staff who spent less than 75% of their time on FOI or IPS work but did some work in those areas.

Staff resources reported in **2A** and **2B** should be for those individuals whose positions include FOI or IPS work as part of their usual functions (for example, individuals who work in the FOI team).

Example 1

An Administrative Review Unit consists of 3 officers, an APS 6 and an APS 3 who spend all their time on FOI work and an EL 2 who spends 80% of their time on FOI. Therefore, **2A** would be recorded as 3.

The Unit is supervised by an Assistant Secretary who spends 20% of their time on FOI. The Branch is responsible to a First Assistant Secretary who spends 5% of their time on FOI. Therefore, **2B** would be recorded as 2.

Example 2

A small agency receives 10 FOI requests during the year. These are processed by an officer who spends 2% of their time processing the requests as part of their usual duties. Three of the FOI requests required internal review by the agency's general manager who spent less than 1% of her time deciding them. In this case **2A** would be recorded as 0 and **2B** would be recorded as 2.

Example 3

A small agency that usually receives no FOI requests receives 30 requests in one month. The agency engages a contractor to work full-time for 3 months to process them. Because the contractor spent more than 75% of their time on FOI work, **2A** would be recorded as 1 and **2B** as 0.

3 – Staff-hours spent on FOI or IPS

'Staff-Hours' means the number of hours spent on FOI or IPS work. Calculating staff hours can be based on the assumption that 100% of time during a year is **2,000 hours** (this is the figure built into the portal).

Estimates for this item should be corrected to the nearest **whole hour** (no decimal places, commas or other punctuation should be entered). It is important these figures are as accurate as possible because they are used to calculate the staff costs component of the OAIC's annual report. FOI and IPS staff hours should be counted and entered separately.

3A requires information about staff or labour resources within an *agency*. Ministers and their staff are reported separately at **3B**. **3A(i)** records staff hours for officers whose usual or **normal functions** include FOI processing or IPS work (that is, the staff recorded at **2A** and **2B**).

3A(ii) and **(iii)** record staff hours for all other staff, in line or policy areas, who spent time on FOI or IPS work during the year, for example, assisting decision makers in FOI matters or collating documents for a request.

If an agency or minister hires an external contractor to perform FOI related duties within the agency, the hours worked by the contractor should be recorded as staff resources at **2** and **3** and not as 'general administrative', 'legal' or 'other' expenses.

Example 4

For the Administrative Review Unit described in example 1, the estimated staff hours would be as follows:

APS 3 (100% of time on FOI)	2000 hours
APS 6 (100% of time on FOI)	2000 hours
EL 2 (80% of time on FOI)	1600 hours
Assistant Secretary (20% of time on FOI)	400 hours
First Assistant Secretary (5% of time on FOI)	100 hours
Total	6100 hours

Because all these officers have FOI work as part of their usual functions, 6100 would be entered in the FOI box at **3A(i)**.

Example 5

An agency receives 5 FOI requests which involve the following officers in a line area whose usual duties do not include FOI work:

APS 6	60 hours
EL 2	50 hours
Assistant Secretary	20 hours
First Assistant Secretary	5 hours

This must be separated into SES and a combined APS 6/EL 1-2 category. In this case, 25 staff-hours were worked by SES officers and 110 staff-hours were worked by APS 6/EL 1-2 officers.

These figures would be recorded in answer to **3A(ii)** as follows:

SES officers (or equivalent)	25 hours
APS 6, Executive Levels 1-2	110 hours

Example 6

Some support staff (APS Levels 1-5) whose usual duties don't include FOI work spend 100 hours photocopying documents for release in response to FOI requests.

A figure of 100 would be recorded in answer to **3A(iii)**.

3B records the staff-hours spent by a minister² or ministerial staff on FOI work (not IPS). If an FOI request involves both an agency and a minister's office, the staff-hours spent by each should be reported separately. Staff-hours should be recorded separately for:

- (i) ministers and advisers and
- (ii) minister's support staff.

Part 4 – Non-staff costs directly attributable to FOI or IPS

All expenditure directly related to FOI or IPS work should be included (separately), whether in response to FOI requests, in the course of administrative processes for handling FOI requests, managing and implementing the IPS scheme for the agency or conducting training programs etc. Only include actual expenditure incurred during the period, whether or not the service was performed during the period.

Item	Comments (Note: FOI and IPS costs are entered separately)
A. General administrative costs	This includes photocopying, printing, postage, telephone, materials, travel etc., directly related to FOI or IPS work. This <u>does not</u> include the cost of engaging seconded lawyers or contractors to perform FOI work (this should be included at 2 and 3 of the annual return) or costs associated with maintaining computers or equipment used by FOI staff (the OAIC adds 60% to staff hours entered by agencies to account for on- costs such as this).
B. General legal advice costs	This is general legal advice on FOI or IPS matters either from an in-house legal section or external solicitors/legal counsel.
C. Litigation costs	This is the costs of specific litigation in relation to particular FOI requests. It includes solicitors and legal counsel costs and internal agency legal services if they can be costed. It is very unlikely there would be any IPS litigation.
D. Training costs	This is the training costs directly related to agency staff FOI or IPS skill development.
E. Other costs	Only use for unusual costs not covered above, for example a special access arrangement. Please list the type of cost as well as the amount. Note that these comments will be automatically published with the full dataset on data.gov.au when the OAIC's Annual Report is published.

² Section 93 of the FOI Act requires each minister, as well as each agency, to furnish, in relation to their official documents, information for inclusion in the OAIC's Annual Report. This includes assistant ministers. These office holders are listed separately in the FOIstats database. Separate annual and quarterly returns should be submitted through the relevant Department.

5 – Comparison with Previous Year

Agencies are encouraged to complete **5** to explain any major *differences* in statistics for the year under report and the previous year, for example:

- the number of FOI requests received and response times
- FOI costs incurred and charges collected
- staff-hours spent on FOI or IPS matters
- the outcomes of decisions, for example, the reasons for an increase or decrease in the percentage of requests granted in full, in part or refused.

Agencies have been subject to adverse media comment when there were significant increases in costs and no explanation was provided.

These comments will be automatically published with the full dataset on data.gov.au when the OAIC's Annual Report is published.

6 – Comments on the operation or administration of the FOI Act

Agencies are invited to provide comments at **6** on matters such as:

- the effect of amendments to the FOI Act
- the level and quality of support offered by the OAIC
- the effect of changes to internal structures and procedures
- changes to the level or location of decision-makers within the agency
- where access was granted in part, the number of requests where a document was edited to remove irrelevant information under s 22(1)(b)(ii)).

These comments will be automatically published with the full dataset on data.gov.au when the OAIC's Annual Report is published.

Attachment: FOIstats Quarterly and Annual Returns

Quarterly Return Form

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1. AGENCY QUARTERLY DETAILS

Agency Name: Your agency's name _____

☐ Nil Return & Save Is this your AGENCY's last quarterly return because your Agency is being abolished?

Quarter: Q_____ [Enter reporting period quarter – Quarter 1, 2, 3 or 4]

Financial Year Ending in: 30 June ____ [Enter reporting financial year end]

2. REQUEST NUMBERS

(include only valid requests under section 15)

	Predominantly Personal Information*	Other	Total
A. On hand at beginning of period	0	0	0
B. Received during period			
- direct from applicant	0	0	0
- on transfer from another agency	0	0	0
C. Finalised during the period	0	0	0
D. Outstanding at end of period	0	0	0

3. PROCESSING OF REQUESTS

(Note: total requests recorded must equal total requests finalised (Q2.C.))

The number of requests where the applicant was notified in writing that:	Predominantly Personal Information*	Other	Total
A. Access was granted in full	0	0	0
B. Access was granted in part	0	0	0
C. Access was refused (includes case where no relevant document could be found in possession of agency)	0	0	0
D. Request was transferred in whole to another agency	0	0	0
E. Withdrawn	0	0	0

4. USE OF PRACTICAL REFUSAL

For requests decided during the period the number of requests where:	Predominantly Personal Information*	Other	Total
A. The applicant was initially notified in writing of an intention to refuse the request because a practical refusal reason existed (s24AB(2))	0	0	0
B. The request was subsequently processed, other than through confirming the practical refusal or the request's withdrawal.	0	0	0

5. EXEMPTIONS CLAIMED

For all requests **decided** in the period please indicate all the types of exemptions initially claimed (if any), whether or not the exemptions claimed were determinative of the outcome. Only indicate each type of exemption once for each request decided even if the type was used multiple times in relation to that request.

A. Exemptions were not relevant or not claimed.

Predominantly Personal Information*	Other	Total
0	0	0

Division 2 of Part IV - Exemptions

B. Documents affecting national security, defence or international relations (s 33)	0	0	0
C. Cabinet documents (s 34)	0	0	0
D. Documents affecting enforcement of law and protection of public safety (s 37)	0	0	0
E. Documents to which secrecy provisions of enactments apply (s 38)	0	0	0
F. Documents subject to legal professional privilege (s 42)	0	0	0
G. Documents containing material obtained in confidence (s 45)	0	0	0
H. Parliamentary Budget Office documents (s 45A)	0	0	0
I. Documents disclosure of which would be contempt of Parliament or contempt of court (s 46)	0	0	0
J. Documents disclosing trade secrets or commercially valuable information (s 47)	0	0	0
K. Electoral rolls and related documents (s 47A).	0	0	0

Division 3 of Part IV - Conditional exemptions

L. Commonwealth-State relations (s 47B)	0	0	0
M. Deliberative processes (s 47C)	0	0	0
N. Financial or property interests of the Commonwealth (s 47D)	0	0	0
O. Certain operations of agencies (s 47E)	0	0	0
P. Personal privacy (s 47F)	0	0	0
Q. Business (other than documents to which s 47 applies) (s 47G)	0	0	0
R. Research (s 47H)	0	0	0
S. The economy (s 47J)	0	0	0

6. RESPONSE TIME

(Note: total requests recorded in this section should equal total access decisions (Q3.A. + 3.B. + 3.C.))

The number of requests where the applicant was notified within the applicable statutory time period of a primary decision, whether or not access was granted (at A). If the applicable statutory time period was not met, the time period within which the decision was notified after the statutory period:

A. Applicable statutory time period met

Predominantly
Personal
Information*

Other

Total

0	0	0
0	0	0
0	0	0
0	0	0
0	0	0

B. Up to 30 days over the applicable statutory time period

C. 31 to 60 days over the applicable statutory time period

D. 61 to 90 days over the applicable statutory time period

E. More than 90 days over the applicable statutory time period

Note: The applicable statutory time period includes periods where the FOI Act states that the running of a time limit is suspended.

7. PROCESSING CHARGES

A. Number of requests for which charges were notified during the period

Predominantly
Personal
Information*

Other

Total

0	0	0
0	0	\$0
0	0	\$0

B. Total charges notified (do not include cents)

C. Total charges collected (net of remissions and refunds, do not include cents)

7A. DISCLOSURE LOG

The number of listings added to the disclosure log during the period where either:

Number

A. the listing provides a direct link to the information on the same website (s11C(3)(a)), or

0

B. the listing provides a link to another website where the information is published (s11C(3)(b)), or

0

C. the listing provides information about how the information can be otherwise accessed (s11C(3)(c))

0

Total

0

Where these statistics are collected in relation to the disclosure log webpages the number of:

Number

D. unique visitors

0

E. page views

0

Webpage visitor statistics to disclosure log pages not collected

☐

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Agency Name: Your agency name _____

Quarter: Q____ [Enter reporting period quarter – Quarter 1, 2, 3 or 4]

Financial Year Ending in: 30 June 202____ [Enter reporting financial year end]

8. INTERNAL REVIEW OF ACCESS DECISIONS

	Predominantly Personal Information*	Other	Total
A. Number of applications for review received	0	0	0
B. Number of applications where agency action was affirmed on review	0	0	0
C. Number of applications where agency action was varied on review:			
(a) greater access given (access granted in full)	0	0	0
(b) greater access given (access granted not in full)	0	0	0
(c) access granted after deferment	0	0	0
(d) access granted in another form	0	0	0
(e) charges reduced or not imposed	0	0	0
(f) lesser access given (following review of an access grant decision)	0	0	0
D. Number of applications where the request was withdrawn by the applicant without concession by agency	0	0	0

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Agency Name: Your agency name _____

Quarter: Q____ [Enter reporting period quarter – Quarter 1, 2, 3 or 4]

Financial Year Ending in: 30 June 202____ [Enter reporting financial year end]

9. AMENDMENT OF PERSONAL RECORDS

A. The number of requests received under section 48 to amend personal records	0
B. The number of requests for which a primary decision was notified within the following time intervals:	
(a) Where the applicable statutory time period was met	0
(b) Up to 30 calendar days after the applicable statutory time period	0
(c) More than 30 calendar days after the applicable statutory time period	0
C. The number of applications for internal review:	0
D. The number of requests which resulted in:	
(a) alteration of the record	0
(b) an addition of an appropriate notation	0
(c) both of the above	0
(d) refusal/confirmation of the decision to refuse	0

End of quarterly return

Annual Return Form

1. AGENCY ANNUAL DETAILS

Agency Name: Your agency's name _____

☐ Nil Return & Save? Is this your AGENCY'S last annual return because your Agency is being abolished? _____

Total of All Requests Received: [_____]

Period: 1 July 202__ to 30 June 202__ (Enter reporting year)

2. STAFF RESOURCES INVOLVED IN FOI or IPS WORK

	FOI	IPS
A. Number of staff who spent at least 75% of their time on FOI or IPS work	0	0
B. Number of staff who spent more than 0% but less than 75% of their time on FOI or IPS work	0	0

3. STAFF-HOURS SPENT ON FOI or IPS work

A. Agency			(Estimated Staff-Hours to nearest whole hour)	
	FOI		IPS	
(i) Officers whose duties included FOI or IPS work as part of their normal duties.	0		0	
(ii) Other officers (eg in line or policy areas) involved in processing FOI requests or IPS work including decision-making or advising decision-makers				
- SES officers (or equivalent)	0		0	
- Australian Public Service Level 6 & Executive Levels 1-2	0		0	
(iii) Support staff (Australian Public Service Levels 1-5)	0		0	
Total for Agency	0		0	
B. Minister's Office			FOI	IPS
(i) Minister and advisers	0			
(ii) Minister's support staff	0			
Total for Minister's Office	0			
	FOI		IPS	
TOTAL STAFF-HOURS / AGENCY AND MINISTER'S OFFICE	0		0	

(Note: whole dollars only - **do not record cents**)

	FOI	IPS
A. General administrative costs	\$ 0	\$ 0
B. General legal advice costs	\$ 0	\$ 0
C. Litigation costs	\$ 0	\$ 0
D. Training costs	\$ 0	\$ 0
E. Other (Specify)	\$ 0	\$ 0
Total	\$0	\$0

Explanation of any major FOI or IPS statistical differences between current and previous year, for example:

- number of requests received
- FOI costs incurred
- FOI charges collected
- Staff-Hours spent on FOI or IPS matters
- FOI response times
- outcomes to decisions e.g. reasons for increase or decrease in percentage of requests granted in full, in part or refused

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End of annual return