
Public Access Agency Reference Group Meeting

Date Thursday 16 August 2018

Time 1–2:30pm

Location Room 27.29, Level 27, 121 Exhibition Street, Melbourne

Participants

Sven Bluemmel, Information Commissioner, OVIC

Monica Barnes, Country Fire Authority

Joanne Kummrow, Acting Public Access Deputy
Commissioner, OVIC (**Chair**)

Nicolas Thomas, Melbourne Health

Rhiannon Bourke, Victorian WorkCover Authority

Chelvi Arunagiri, City of Melbourne

Robin Davey, Victoria Police

Chris O'Donnell, VicRoads

Tony Calder, Monash University

Lisa Scholes, Department of Health and Human
Services

Sarah Crossman, Secretariat, OVIC

Ianina Belski, OVIC (observer)

1. Apologies

- Cameron Montgomery

2. Welcome and Introduction

- The Information Commissioner welcomed the members of the reference group and introduced Joanne Kummrow as the Acting Public Access Deputy Commissioner.

3. Previous Meeting Minutes

- All attendees confirmed the minutes of 18 April 2018.
- The Information Commissioner confirmed the action items from the meeting on 18 April 2018.

4. OVIC Update

- Annual report
 - The Public Access Deputy Commissioner noted that 100% of agencies and 100% of Cemetery Trusts have completed the FOI survey. The Commissioner thanked agencies for their work in providing this information to OVIC.
 - Group members discussed the Annual Report survey questions and their utility in capturing data. One member queried whether the survey questions will change and if so, when agencies will be notified of those changes. OVIC noted this for consideration.
- Location update
 - The Public Access Deputy Commissioner noted that, currently, FOI and Privacy/Data Protection are located on different levels in the same building. OVIC is in the final stages of moving to the same level, which OVIC anticipates will occur at the end of September.
- Early resolution
 - The Public Access Deputy Commissioner noted that in September 2017, OVIC commenced an Early Resolution Project. OVIC now has a dedicated Early Resolution Team. The team's role is to intervene in the review process at an early stage to determine whether there are ways to informally resolve the review or narrow its scope.

- Group members provided feedback on the Early Resolution Team and the effect it will or may have on their agencies.
- New case management categorisation system
 - The Public Access Deputy Commissioner noted that in July 2018, OVIC commenced a new case management categorisation system. The aim of the new system is to build up case manager experience in certain subject areas, increase consistency in decisions, expedite the review process and reduce duplicate enquiries to agencies.
 - Examples of the categories include: child protection, prisoner records, police records, healthcare records, workplace matters, complaints and disputes, regulatory and compliance and government/business/commercial and financial matters.
 - Group members discussed their agencies' own operational practices and the effect that OVIC's new system may have on dealing with OVIC.

5. Forthcoming Events

- The Public Access Deputy Commissioner noted that International Right to Know Day is on Friday 28 September 2018.
- The Commissioner also noted the Monash University and OVIC FOI Public Forum – *Freedom of Information Australia – Toward best practice or insignificance?* Details are: Monday 24 September 2018 from 6:00 to 7:30pm at the Monash Conference Centre, Level 7, 30 Collins Street, Melbourne, 3000. Those interested in attending can register here: <https://www.eventbrite.com.au/e/freedom-of-information-in-australia-best-practice-or-insignificance-tickets-48683547802?aff=ebdssbdestsearch>

6. OVIC Education and Training

- Publication of OVIC notices of decisions
 - The Public Access Deputy Commissioner noted a new project to publish its notices of decisions in de-identified form on its website. The objective of the project is for educative purposes associated with Commissioner's function under s 61(2)(a). Publication will serve to communicate to agencies and the public the Commissioner's preferred approach to the application of exceptions and exemptions under the FOI Act.
 - Group members discussed the project and noted challenges such as noting where there has been an appeal to the Victorian Civil and Administrative Tribunal, de-identifying decisions and which decisions to publish. OVIC noted these challenges.
- Training is now free and in a new format: 1/Administering the FOI Act, 2/Core Exemptions, and 3/Advanced Exemptions.
 - Group members provided feedback on OVIC's training.
 - Members can view upcoming training dates here: <https://ovic.vic.gov.au/training-and-events/training/>
- New Information Access Series for agencies
 - The Public Access Deputy Commissioner spoke to the new series and noted the following sessions:
 - Monday 27 August 2018: Refusal of requests for documents – interpreting and using sections 25A(1) and 25A(5) of the FOI Act. Staff can register to attend here: <https://www.trybooking.com/book/event?embed&eid=408607>
 - Practitioners may also view a live stream of the session. Details will be on OVIC's website.

- Attendees are encouraged to send questions in advance to: training@ovic.vic.gov.au
- Monday 29 October 2018: Preparing decision letters in FOI matters
- Wednesday 28 November 2018: Working with OVIC – Demystifying our processes and procedures
- Online modules
 - The Public Access Deputy Commissioner noted that OVIC is preparing to launch a new online learning management system that will house online learning modules in September 2018. The modules will cover: introduction to the exemptions and ss 30, 32, 33, 34(1)(b), 34(4)(a)(ii), 35(1)(b) and 38.

7. OVIC resources and publications

- The Information Commissioner noted that the new OVIC website is now live (<https://ovic.vic.gov.au/>), which includes a date calculator and a basic access charges calculator. OVIC invites feedback on these features.
- The Public Access Deputy Commissioner noted that OVIC recently provided a guide on proactive and informal release in a recent OVIC newsletter, for feedback.
 - Group members discussed proactive and informal release in their agencies.

8. Professional Standards (Part IB)

- The Public Access Deputy Commissioner noted that OVIC will commence development of Professional Standards concerning the conduct of agencies in performing functions under, and their administration and operation of the FOI Act.

9. Other Business

- The Public Access Deputy Commissioner invited group members to send suggestions for future agenda items to OVIC.

10. Close: 2:30pm

11. Next meeting: Thursday 29 November 2018, 1:00pm to 2:30pm, 121 Exhibition Street, Melbourne