

Public Access Agency Reference Group Meeting

Special meeting to discuss the COVID-19 pandemic and FOI business continuity

Date: Wednesday, 15 April 2020

Time: 2:00 – 3:00pm (Teleconference)

Participants

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

Ianina Belski, Assistant Commissioner Public
Access Reviews, OVIC

Shantelle Ryan, Assistant Commissioner Public
Access Resolutions, OVIC

Andrew Weston, Department of Transport

Diana Battaglia, Alfred Health

Fiona Hunt, Monash University

Gaven Sturma, Department of Education and
Training

Jude Hunter, Victorian WorkCover Authority

Lisa Scholes, Department of Health and Human
Services

Monica Barnes, Country Fire Authority

Robin Davey, Victoria Police

Tricia Asibal, Secretariat, OVIC

Minutes

1. Welcome

- Meeting start: 2:05pm. The Public Access Deputy Commissioner welcomed members, thanked everyone for participating, and acknowledged that everyone is adjusting to new operating processes and implementing their agency's business continuity plans.

Apologies

- Cameron Montgomery, City of Ballarat
- Lauren Reader, Macedon Ranges Shire Council
- Melinda Robinson, Department of Justice and Community Safety
- Richard Long, Monash University
- Samantha Oliver, City of Melbourne
- Susannah Whitty, Eastern Health

Previous meeting minutes

- Previous meeting minutes confirmed.

Action items

- The first action item related to OVIC consulting with Reference Group members on draft FOI and COVID-19 FAQs for [agencies](#) and the [public](#). This is complete and the FAQs are live. Please let OVIC know if you have suggestions for other questions for the FAQs.
- The second action item related to OVIC organising a special Reference Group meeting for 15 April 2020. This is complete.
- The third action item related to OVIC setting up a webinar platform, which is underway. OVIC has identified a preferred option and is undertaking privacy and security risk assessments.

2. Business continuity and COVID-19 pandemic

- Members provided updates on their experiences with working remotely. Common themes included:

- **Conducting document searches** remains an ongoing challenge for agencies working remotely. Members discussed difficulties in accessing agency staff and other areas of the agency to conduct document searches. Members also noted it has been very difficult, and in some cases not possible, to access documents held by places like schools and universities, which have closed in light of COVID-19.
 - **Promoting FOI as a priority** – some members noted challenges with promoting FOI as a priority in their agency when it comes to conducting document searches, as agencies are busy responding to other matters.
 - **Volume of new FOI requests** – members noted the number of FOI requests initially decreased when remote working arrangements were put in place. However, the number of FOI requests have started to increase again.
 - **Reduction in FOI staff** – one member noted their agency’s FOI unit has lost some FOI staff to other functions of the agency.
 - **Delays in processing FOI requests** – some members noted there have been some delays in processing FOI requests.
- The Assistant Commissioner Public Access Resolutions noted there was a slight decrease in review and complaint applications to OVIC, and telephone enquiries have decreased but email enquiries have remained steady. The Public Access team continue to focus on informal resolution, finalising aged matters, and trying to increase timeliness on formal decisions. She noted recruitment is proceeding, with OVIC looking for an ongoing Senior Case Manager and two fixed term Case Managers. OVIC is looking closely at incoming complaints and looking for issues that relate to current circumstances to consider whether to use powers under the FOI Act not to accept those complaints. Where relevant, OVIC will be writing to complainants to explain why OVIC is not accepting those complaints. OVIC may ask agencies to give details to confirm whether an issue is related to COVID-19.
 - The Assistant Commissioner Public Access Reviews noted OVIC will no longer be requiring agencies to provide documents requiring an inspection. OVIC will assess current reviews on a case-by-case basis and see how to approach the review. She also noted OVIC published the FOI and COVID-19 FAQs and encouraged members to share them with colleagues. OVIC intends to update the FAQs to reflect the changing operating landscape. Members are welcome to provide OVIC with any feedback or suggest additional questions.

3. Other business

- The Public Access Deputy Commissioner noted that OVIC appreciates Reference Group members being open and sharing their experience during this time. She further noted that OVIC is open to accommodating requests from agencies such as extensions of time. OVIC has not yet received many complaints relating to COVID-19.
- The Public Access Deputy Commissioner confirmed the importance of continuing to provide access to documents.

4. Close

Next teleconference: Monday 25 May 2020, 2:00 – 3:00pm.