

Public Access Agency Reference Group Meeting

Date: Monday 21 February 2022

Time: 2:00 – 3:00pm (Microsoft Teams)

Participants

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

Penny Eastman, Acting Assistant Commissioner Public Access Reviews and Regulation, OVIC

Andrew Weston, Department of Transport

Angela Nunn, Monash University

Cameron Montgomery, City of Ballarat

Delilah Nichols, Transport Accident Commission

Jane Taylor, Department of Education and Training

Jude Hunter, Victorian WorkCover Authority

Lisa Scholes, Department of Families, Fairness and Housing

Melinda Robinson, Department of Justice and Community Safety

Peter Gannoni, City of Melbourne

Monica Barnes, Country Fire Authority

Robin Davey, Victoria Police

Susan Maye, University of Melbourne

Anita Mugo, Secretariat, OVIC

Agenda Items

1.	<p>Welcome</p> <ul style="list-style-type: none"> • Meeting start: 2:03 • The Public Access Deputy Commissioner welcomed everyone to the meeting. <p>Apologies</p> <ul style="list-style-type: none"> • Shantelle Ryan, OVIC • Felicity Wright, Transport Accident Commission. • Richard Long, Monash University. <p>Previous meeting minutes and action items</p> <ul style="list-style-type: none"> • Attendees confirmed the meeting minutes of 22 November 2021. There were no action items arising from that meeting.
2.	<p>Agency updates</p> <ul style="list-style-type: none"> • Reference Group members provided updates on their agency and FOI workloads: <ul style="list-style-type: none"> ○ Return to office – members discussed return to office arrangements with some members returning to office from 28 February 2022. One member noted their agency is undergoing a restructure therefore the agency’s return to the office may be delayed until any organisational changes are confirmed.

	<ul style="list-style-type: none"> ○ Recruitment – members discussed successful recruitment in recent months but noted the ongoing challenges of finding suitable FOI practitioners to fill vacancies. ○ FOI and privacy workloads – Many members noted there was no significant increase in the volume of FOI requests over the Christmas/New Year period. Some members discussed the significant increase in privacy matters noting many of their FOI practitioners also handle privacy matters.
3.	<p>OVIC update</p> <ul style="list-style-type: none"> ● The Acting Assistant Commissioner Public Access Reviews and Regulation provided the OVIC operational update. <p><u>Reviews</u></p> <ul style="list-style-type: none"> ● As of 21 February 2022, OVIC has 163 open reviews. On average, OVIC continues to receive around 10 to 12 new review applications per week. ● So far, this financial year, OVIC has received 345 review applications and closed 346 reviews. ● While the number of review applications has declined overall, OVIC is noting an increase in more complex reviews. <p><u>Publication of Notices of Decision</u></p> <ul style="list-style-type: none"> ● As of 21 February 2022, OVIC has published over 480 decisions. The Acting Assistant Commissioner Public Access Reviews and Regulation noted OVIC is striving to publish newer decisions which may have relevance to broader agencies and the public. She invited members to contact OVIC if there were any concerns about published decisions. <p><u>Upcoming events</u></p> <ul style="list-style-type: none"> ● OVIC will be hosting the first Information Access Series seminar for the year on Wednesday 23 February 2022. The webinar will explore recent OVIC FOI review decisions, and Tribunal and Court decisions from 2021. The webinar will also cover resources OVIC has developed to support agencies in understanding the FOI Act, and briefly look at what 2022 has to offer. ● The Acting Assistant Commissioner Public Access Reviews and Regulation encouraged members to contact her directly with suggestions or ideas for topics to cover in future Information Access Series events noting OVIC aims to tailor the program to suit agencies’ needs. ● OVIC’s first joint FOI and Privacy Regional Roadshow will be held on 23 March 2021. This online event, designed for FOI and Privacy practitioners, will feature presentations/panel discussions involving OVIC staff and guest speakers on FOI and Privacy topics relevant to Victorian government agencies. <p><u>Complaints</u></p> <ul style="list-style-type: none"> ● As of 21 February 2022, OVIC has 218 complaints on hand. 176 (81%) of the complaints concern delays. ● Where OVIC is advised that an applicant has made an application to VCAT on a deemed

	<p>refusal and the complaint before OVIC concerns delay only, OVIC will seek the complainant's agreement to withdraw the complaint. Where no agreement is provided, OVIC will consider dismissing the complaint on the basis that the matter is before VCAT.</p> <p><u>Professional Standards</u></p> <ul style="list-style-type: none"> • OVIC is in the process of developing a Professional Standards Framework and OVIC anticipates publishing it on its website before the end of the financial year. • OVIC will be encouraging stakeholders to review the Framework and provide feedback once it has been published. • The Acting Assistant Commissioner Public Access Reviews and Regulation reminded members that agencies can use the Professional Standards Self-assessment tool to measure performance against the Standards. Agencies are encouraged to proactively conduct a re-assessment to monitor and track improvements. <p><u>Informal Resolution</u></p> <ul style="list-style-type: none"> • In January 2022, OVIC informally resolved 21% of review applications. • OVIC's year-to-date performance remains above its BP3 target (25%), with 27% of review matters having been informally resolved.
4.	<p>Other business</p> <ul style="list-style-type: none"> • The Public Access Deputy Commissioner noted OVIC's FOI Guidelines project is progressing and OVIC is using Engage Victoria to facilitate consultation with agencies and members of the public during stages of the project. PAARG members and other agencies are invited to provide feedback on newly published parts of the Guidelines as they become available for public consultation. • See link to the consultation page for more details about the project and how to participate: https://ovic.vic.gov.au/freedom-of-information/consultation-on-draft-foi-guidelines/
	<p>Meeting closed: 2:53pm</p> <p>Next meeting: 23 May 2022, 2pm – 3pm. Calendar invites have been sent to members. Members are welcome to submit any issues they would like to discuss at the next meeting to the Secretariat.</p>