OVIC
Office of the Victorian Information Commissioner

Public Access Agency Reference Group (PAARG) Meeting Minutes

Date: Monday 29 May 2023

Location: Microsoft Teams

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

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

Andrew Weston, Manager, Freedom of Information (**FOI**), Department of Transport

Delilah Nichols, Senior Privacy & FOI Advisor, Transport Accident Commission (**TAC**)

Lisa Scholes, Manager, FOI, Department of Families, Fairness and Housing

Monica Barnes, Senior Manager FOI and Privacy, Country Fire Authority

Peter Gannoni, Acting Senior Governance Officer, City of Melbourne

Robin Davey, Manager, FOI Division, Victoria Police

Stephanie Siomos, Secretariat, OVIC

Guests: Emily Brooks, Director, FOI, Department of Home Affairs (**DHA**)

Anna Gururaj, A/g Assistant Director, FOI, DHA

Ted Lipiarski, Chief Operating Officer, OVIC

Greg Burnie, Manager, Registry and Case Support, OVIC

Jenna Daniel, Senior Policy Officer, OVIC

Conrad Kotz, IT Support Officer, OVIC

Meeting opened at 2:00pm

Agenda Items

1.   Apologies

Paul Pittorino, FOI Manager, Department of Justice and Community Safety

Felicity Wright, Information & Privacy Manager, TAC

Cameron Montgomery, Executive Manager Safety Governance and Risk, City of Ballarat

Bronte Wright, Legal Counsel - FOI & Privacy, WorkSafe Victoria

Elle Maroudas, Acting Manager, FOI, Department of Education and Training

Susan Maye, Manager, Regulatory Advisory Services, University of Melbourne

Raffaella Di Maio, FOI Lead, University of Melbourne

Shantelle Ryan, Assistant Commissioner Public Access Operations and Compliance, OVIC

Anique Owen, Senior Privacy Adviser & Conciliator, OVIC

Simon Lane, IT Manager, OVIC

2.   Previous Meeting Minutes

Confirmed – All members confirmed minutes of 20 February 2023.

3   Action Items

Nil

4   Robotic Process Automation

OVIC welcomed the guest presenters from DHA. DHA delivered a presentation on their recent exploration and implementation of the Robotic Process Automation through an FOIBot that is helping them deal with high volumes of incoming FOI requests and correspondence, and to increase efficiency in their frontend work processes.

DHA noted:

- Only online forms can be used, emails cannot be read.

- The technology isn't smart enough to determine if the request is valid, staff still need to review the request to determine its validity.

- A redaction tool was also developed to minimise manual redaction effort. This tool helps staff focus on the more complex decision making.

OVIC thanked DHA for their time and delivering this very insightful and inspiring presentation on how this style of technology could assist OVIC and agencies deal with the administrative burden associated with FOI processing.

One member noted their agency is looking into implementing a Robotic Process Automation system to help process their FOI requests.

5   Agency Update

Nil

6   OVIC Annual Report 2022-23

OVIC noted the 2022-23 FOI annual report survey opens for agencies to complete on 1 July 2023 and closes 31 July 2023. No changes have been to the survey questions since last year. Two OVIC staff members go offline for 2-3 months to process the survey.

OVIC asked agencies to provide updated contact details of all the agencies they support.

7   OVIC Policy and Operational Update

OVIC spoke to *OVIC Policy and Operational Update* (see attached at the end of the minutes). OVIC noted parts of the FOI guidelines is now live and the following link was provided https://ovic.vic.gov.au/freedom-of-information/foi-guidelines/?highlight=FOI%20guidelines.

8   Other Business (ALL)

OVIC noted proactive and informal release will be discussed at the next PAARG meeting.

Guests left the meeting at 2:52pm

Meeting closed: 3:07pm

Next meeting scheduled: Monday 21 August 2023, 2:00pm – 3:00pm (in person and via MS Teams)

OVIC Policy and Operational Update

Key policy projects / initiatives

FOI Guidelines project

- In May, we commenced publishing content for the FOI Guidelines. As of 12 May, we have published the Overview, Part IA, and Part II. Part IB is in the process of being published.

- We published an index style landing page for the FOI Guidelines which you can use to navigate.

- The webpages are live; however, we have not yet commenced communicating the publication to stakeholders. We will communicate the publication parts of the FOI Guidelines via our Twitter page and the OVIC newsletter.

PAIR template policy

- Thank you to everyone who provided feedback. We are currently consulting internally on the draft Policy and Guide.

Reviews

As at mid-May 2023, the Public Access Branch was handling **184** reviews and 1 access charges matter.

In relation to the volume of reviews received this financial year, we have received **454** review applications which is marginally down same period for last financial year (465).

We have closed **411** review matters thus far this year. Of these, 266 resulted in a formal decision from a Commissioner with approximately 60% of these being varied decisions.

Our focus continues to be on improving our overall timeliness in completing reviews, including through informal resolution.

Informal resolution

Wherever possible we attempt to resolve review matters informally without the requirement for a formal Notice of Decision. Thus far this financial year, around 26% of review applications have been informally resolved.

Thanks to all agencies for their engagement in the informal resolution process.

Publication of Notices of Decision

As at mid-May, we had 760 deidentified review decisions published. Attention is focused on publishing a representative selection of OVIC's decisions with focus directed at getting topical decisions published in a timely fashion, ideally within 7 days of provision to parties. Once you receive an OVIC decision, if you have any concerns about the release of particular content, please reach out to Penny to discuss as soon as possible.

Complaints

OVIC continues to receive a high volume of complaints regarding agency delays in processing FOI requests within statutory timeframes.

OVIC currently has **220** complaints on hand, which is up from **201** at our last meeting. This volume is made up of:

   a.   166 complaints concerning delays

   b.   54 general handling/docs don't exist complaints/Adequacy of search *(noting some complaints have multiple concerns in the one application.)*

Thus far this financial year, we have received **545** complaints which is a significant reduction in volume compared to same period last financial year (662). We have closed **558** complaints.

The average time taken by OVIC to finalise all complaints is **107** days. This remains high due to OVIC keeping delay complaints open until we receive notification that an agency has made its decision. The average time taken to finalise non-delay complaints is **70** days.

We are currently recruiting for the Manager, Complaints and Professional Standards role.

Professional Standards

The published Professional Standards Framework will soon be retired as the content will be transferred to the FOI Guidelines.

The FOI Guidelines are intended to be a comprehensive resource on the FOI Act and to avoid having the same or similar content elsewhere on the OVIC website we have decided to retire the Framework and move the content into the Guidelines.

We will be including a link to the Professional Standards Self-Assessment Tool in the FOI Guidelines. The Tool will remain a downloadable document for agencies to access and complete.

Registry & case support team

Preparation work for the collection of FOI data for this year's annual report is well underway.

Following a successful recruitment process to fill a vacancy within the Registry and Case Support Team, a new Case Management Officer has joined the team.

Upcoming events

OVIC will be holding the first of two Information Access Series (IAS) webinars on **Wednesday 14 June 2023 at 12pm.** These sessions are designed to help FOI practitioners across the Victorian public sector complete OVIC's online annual FOI data collection survey. The sessions will provide an opportunity to ask questions or seek clarification on the survey and/or the process. The sessions will run for 60 mins with time for Q&A at the end.

The second of these sessions will be held after the survey goes live, **on 4 July 2023**.