

Office of the Information Commissioner

# 2012–13 Annual Report



Office of the Information Commissioner  
Queensland

# Welcome to the Office of the Information Commissioner Annual Report 2012-13

The Office of the Information Commissioner (OIC) is an independent body established under the *Right to Information Act 2009* (RTI Act) and the *Information Privacy Act 2009* (IP Act). It has a statutory role to assist government achieve open and accountable government.

Open and accountable government requires that information the government holds should be accessible to the public, unless to do so would be contrary to the public interest, while protecting people's personal information held by government.

The services OIC provide include promoting information rights and responsibilities, fostering improvements in the quality of RTI and IP practice in agencies, conducting external reviews of agency decisions about access to information and resolving privacy complaints through mediation.

Also, OIC is responsible for monitoring and reporting to the Queensland Parliament on the performance of public sector agencies in complying with the RTI and IP Act requirements.

There is a natural synergy between the OIC's monitoring and assistance, external review, and privacy functions, for example, monitoring and assistance functions improve the quality of agency practice to minimise demand for OIC services in external review and privacy complaints.

OIC's annual report provides an overview of our performance towards achieving an informed Queensland that values and respects information rights and responsibilities. OIC is required to report annually on specific aspects of our activities. This annual report provides:

- an account of our revenue and how we have used public funds
- an insight into challenges and opportunities that have influenced our actions as well as setting our priorities for the year ahead; and
- an assessment of our achievement in meeting our corporate and operational plans as measured against a range of performance indicators.

Our annual report is an important component of OIC's monitoring of its performance, which feeds into organisational planning and resource allocation.

## Our vision

An informed Queensland that values and respects information rights and responsibilities.

## Our mission

To be Queensland's independent, influential and practical authority on information rights and responsibilities.

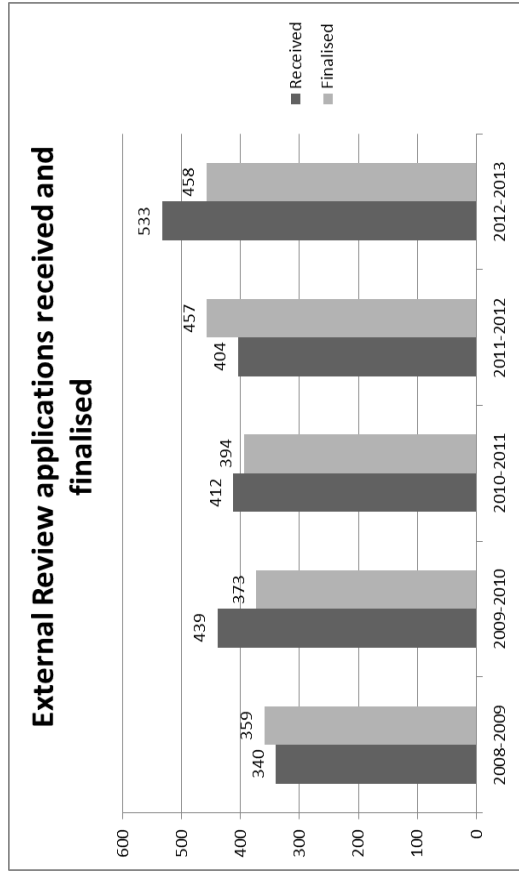
## Our values

- Openness
- Transparency
- Accountability
- Accessibility
- Integrity
- Fairness
- Impartiality
- Equality before the law
- Timeliness
- Independence

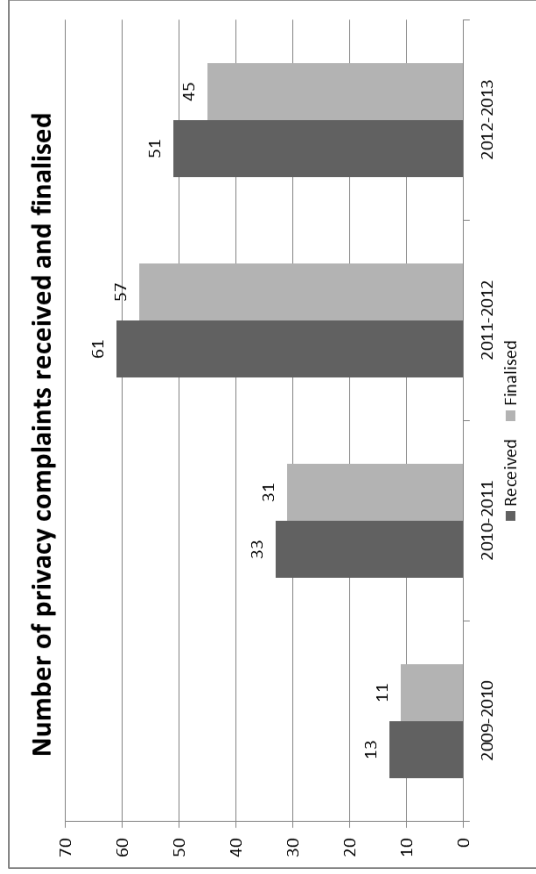
ISSN: 2200-9183

# Highlights of 2012-13

OIC finalised a record 458 external review applications whilst also receiving a record number 533 new applications (see page 19-20).



OIC received 51 privacy complaints made under the IP Act (see page 26).



- Provided timely advice in response to 3,686 enquiries received by telephone and in writing (see page 39).
- Published new information resources and reviewed existing resources (see page 30).
- Provided 35 training activities, trained over 2,983 people (see page 29) and launched three new online training courses (see page 34 & 35).
- Conducted 106 performance monitoring and compliance activities, including reporting on the compliance of agencies with legislative obligations (see page 29).
- Continued to enhance OIC's website to increase usability and accessibility. The site received 76,450 visits, an increase of 19% from the previous period (see page 36).
- 78% of applicants were satisfied overall with the external review service provided by OIC in 2012-13 (see page 18).
- Improved timeliness of external reviews to 59 median days and no external review applications older than 12 months at 30 June (see page 22).
- Provided integral privacy advice to government agencies about incorporating responsible personal information management into a wide range of initiatives, including the Queensland Government's Open Data scheme and the movement to adoption of cloud services (see page 40).

## 2012 Right to Information Day and Solomon Lecture

OIC marked this occasion with the biannual conference, Creating Open Government. It was hosted by the NSW Information Commissioner in Sydney. The fourth annual Solomon Lecture was presented at the conference by well-regarded guest speaker Professor Geoff Gallop, Director of the Sydney University Graduate School of Government. OIC also conducted a number of low cost promotional activities including the online release of information and resources for the public sector and community (see page 37).

## 2013 Privacy Awareness Week

OIC participated in Privacy Awareness Week and raised awareness of the privacy issues surrounding current and emerging technological trends including advances in drones technology, the widespread use of social media, the rapid uptake of smartphones and tablets, and the growth of cloud-based services (see page 37).

# Contents

<b>Snapshot of our office.....</b>	<b>1</b>
Who we are.....	1
Our services.....	1
Our responsibilities.....	1
Our resources.....	2
Our key performance indicators.....	2
<b>Performance report card 2012-13.....</b>	<b>3</b>
<b>Letter of compliance.....</b>	<b>4</b>
<b>Message from the Acting Information Commissioner.....</b>	<b>5</b>
<b>Office management.....</b>	<b>7</b>
Our organisation.....	7
OIC functions.....	7
Our human resources.....	9
Our governance.....	12
Legislative developments/changes.....	16
Machinery-of-government changes.....	17
<b>Service one-An independent, timely and fair review of decisions.....</b>	<b>18</b>
<b>made under the <i>Right to Information Act 2009</i> (Qld) and the</b>	
<b><i>Information Privacy Act 2009</i> (Qld)</b>	
Resolving applications.....	19
External review decisions.....	21
Timeliness.....	21
Applications for financial hardship status.....	23
<b>Service two-An independent and timely privacy complaint.....</b>	<b>25</b>
<b>resolution service</b>	
<b>Service three-Foster improvements in the quality of practice in right.....</b>	<b>29</b>
<b>to information and information privacy in Queensland Government agencies</b>	
Information and assistance.....	29
Performance monitoring and reporting.....	31
Training.....	32
<b>Service four-Promote the principles and practices of right to.....</b>	<b>36</b>
<b>information and information privacy in the community and within government</b>	
Promoting through the internet.....	36
Promoting through other avenues.....	36
Enquiries Service.....	38
Additional advice and assistance.....	40
<b>Financial performance.....</b>	<b>41</b>
Financial statement 2012-13.....	41
Financial position.....	41
Financial outlook.....	41
<b>Financial statements.....</b>	<b>42</b>
<b>Appendixes.....</b>	<b>73</b>
<b>Index.....</b>	<b>90</b>

# Snapshot of our office

## Who we are

OIC is a statutory body for the *Financial Accountability Act 2009* (Qld) and the *Statutory Bodies Financial Arrangements Act 1982*. Initially established under the repealed *Freedom of Information Act 1992* (Qld), OIC continues under the *Right to Information Act 2009* (Qld) and *Information Privacy Act 2009* (Qld).

Under the RTI Act and IP Act, government-held information must be released administratively, as a matter of course, unless on balance, disclosure is contrary to the public interest. Access applications made under the legislation should be a last resort.

OIC promotes the objectives of the RTI Act and IP Act including the understanding that access to government information is vital to ensuring a transparent, accessible and responsive government. Greater access to information leads to an informed community, able to participate in and scrutinise government. This in turn fosters a more effective, efficient, economical, ethical, transparent and accountable public service.

## Our services

OIC has four main services:

- Service one-An independent, timely and fair review of decisions made under the *Right to Information Act 2009* (Qld) and the *Information Privacy Act 2009* (Qld) (see pages 18-24)
- Service two-An independent and timely privacy complaint resolution service (see pages 25-28)
- Service three-Fostering improvements in the quality of practice in right to information and information privacy in public sector agencies (see pages 29-35); and
- Service four-Promoting the principles and practices of right to information and information privacy in the community and within government (see pages 36-40).

## Our responsibilities

The statutory role of the Information Commissioner reflects its services and is to:

- independently review decisions made by Queensland Ministers and public sector agencies about access to, or amendment of, documents
- mediate privacy complaints
- promote information rights and responsibilities; and
- foster improvements in the quality of right to information and information privacy practices.

The Information Commissioner is accountable to the Queensland Parliament through the Legal Affairs and Community Safety Committee (LACSC).

Also, OIC's governance and accountability is ensured through the tabling of our annual report to Parliament, its meetings with the LACSC and our Service Delivery Statement.

OIC clients include members of the community, Queensland public sector agencies and the Queensland public.

OIC also supports the public sector's corporate governance and accountability framework by assisting agencies to improve their right to information and information privacy practices.

## **Our resources**

As at 30 June 2013, OIC:

- had 33.1 full time equivalent staff; and
- received grant funding from the Queensland Government provided through the Department of Justice and Attorney-General. Our 2012-13 total appropriation was \$6.054M.

## **Our key performance indicators**

OIC measures the efficiency and effectiveness of our services against key performance indicators.

Our strategic plan<sup>1</sup> sets out our objectives and strategies for a five year period.

There is continual monitoring, evaluation and feedback undertaken both internally and externally. This assists OIC to refine its strategic plan to ensure alignment with whole-of-government priorities where appropriate.

For more information about OIC's strategic direction, you can view the strategic plan located on our website at <http://www.oic.qld.gov.au/about/right-to-information/publication-scheme/our-priorities>.

Service delivery targets are based on a determined level of performance that OIC seeks to meet within available resources.

These service targets enable the Queensland community and the government to assess whether or not our agency has delivered services to acceptable levels and measures OIC's efficiency and effectiveness. Service targets are part of the Queensland Government Performance Management Framework<sup>2</sup>.

Our performance report card on page 3 shows our achievements and overall performance against the established service targets.

In May 2013, OIC launched an online performance dashboard which is accessible through the website. The dashboard displays OIC's key activities along with the corresponding service delivery target. Progress against these service delivery targets is reported on a monthly basis throughout the financial year. Prior to implementing the performance dashboard, OIC's performance was only available through a small number of formal reporting processes often on an annual basis or at a set point in time. Now this resource will provide an on-going indicative snapshot of OIC's performance over time.

---

<sup>1</sup> The Office of the Information Commissioner Strategic Plan 2012-16 applied for the 2012-13 year.

<sup>2</sup> A Guide to the Queensland Government Performance Management Framework  
<http://www.premiers.qld.gov.au/publications/categories/guides/perf-manage-framework.aspx>.

# Performance report card 2012-13

Service standard	Target	Achievement
<b>Service One-An independent, timely and fair review of decisions made under the <i>Right to Information Act 2009</i> (Qld) and <i>Information Privacy Act 2009</i> (Qld)</b>		
Percentage of applicants satisfied with the conduct of the review.	70%	78%
Percentage of agencies satisfied with the review service provided.	75%	97%
Median days to finalise a review.	90 days	59 days
Percentage of open reviews at the end of reporting period that are more than 12 months old.	0%	0%
Number of reviews finalised.	300	458
Percentage of reviews resolved informally compared to reviews resolved by written determination.	75%	88%
Percentage of review applications finalised to received.	100%	86%
<b>Service Two-An independent and timely privacy complaint resolution service</b>		
Percentage of complainants satisfied with the conciliation service.	70%	Note 1
Percentage of agencies satisfied with the privacy service provided.	75%	100%
Percentage of privacy complaints not formally referred to QCAT for determination.	75%	96%
Median days to finalise a privacy complaint.	90 days	18 days
Percentage of privacy complaints finalised to received.	100%	88%
<b>Service Three-Foster improvements in the quality of practice in right to information and information privacy in Queensland government agencies</b>		
Percentage of agencies satisfied with the information and assistance provided by OIC.	75%	97%
Percentage of agencies satisfied with the quality of information provided.	75%	100%
Number of training activities provided.	30	35
Number of people trained.	500	2,983
Percentage of course participants satisfied with sessions.	75%	99%
Number of monitoring and compliance activities.	10	106
<b>Service Four-Promote the principles and practices of right to information and information privacy in the community and within government</b>		
Number of awareness activities conducted.	190	341
Number of enquiry (written and oral) responses.	2,500	3,686
Number of website visits.	80,000	76,450

<sup>1</sup> The number of complaints received was too low for the measure to be meaningful.

# Letter of compliance

19 September 2013  
The Honourable Fiona Simpson MP  
Speaker of the Legislative Assembly  
Parliament House  
George Street  
Brisbane Qld 4000

Dear Madam Speaker

I am pleased to present the Office of the Information Commissioner Annual Report 2012-13 to the Queensland Parliament.

The report contains an account of our work for the 12 months ending 30 June 2013 and is made pursuant to section 184 of the *Right to Information Act 2009* (Qld) and section 193 of the *Information Privacy Act 2009* (Qld). It reflects our performance against our strategic plan for 2012-16.

I certify that this annual report complies with:

- the prescribed requirements of the *Financial Accountability Act 2009* (Qld) and the Financial and Performance Management Standard 2009; and
- the detailed requirements set out in the Annual Report Requirements for Queensland Government Agencies.

A checklist outlining the annual reporting requirements can be found at page 76-77 of this annual report.

Yours sincerely



**Clare Smith**  
**Acting Information Commissioner**



# Message from the Acting Information Commissioner

Parliament's reasons for enacting the *Right to Information Act 2009* (RTI Act) and the *Information Privacy Act 2009* (IP Act) recognised that in a free and democratic society, openness in government enhances its accountability. Parliament also acknowledged that open government improves public administration and the quality of government decision making. The community expects its requests for personal information and for government information held by agencies, to be dealt with in an open and timely manner.

OIC has a statutory role to assist the achievement of an open and transparent government and to monitor the Government's performance in this respect.

The Open Data scheme introduced by the Queensland Government in 2012-13 to proactively release data in open and reusable formats is a significant initiative that releases valuable government data to business and the community. OIC has been actively involved in this initiative from the beginning, particularly in the area of privacy.

OIC has received a record number of applications for external review in 2012-13 and has finalised a record number of these applications. No reviews exceeded the target of being 12 months old or older at 30 June 2013.

OIC recognises a need to continually promote, particularly to agency officers, the resources it has to assist them in applying and complying with the RTI and IP legislation. Accordingly, OIC has developed more options for knowledge sharing and networking for RTI and IP practitioners. In the 2012-13 financial year, OIC commenced hosting regular meetings that are both face to face and available through teleconference, where topics of interest and recent issues can be raised and discussed. Parts of these meetings are consequently available to practitioners online.

OIC believes that valuable resources on its website including online training programs, information sheets, guidelines, decisions and in particular the annotated legislation are under-utilised. OIC updated and enhanced its website in April 2013 and has implemented strategies to ensure agency and community members are made more aware of these resources. Consequently, there was a 19% increase on visits to the OIC website in 2012-13.

2013-14 will bring changes to the RTI and IP legislation and perhaps to the OIC's functions with a legislative review of the RTI and IP Acts and a strategic review of its functions and performance, also required under the RTI Act.

OIC welcomes the opportunity of contributing to the legislative review, drawing on over four years' experience since the implementation of the legislation.

In April 2013 the Callinan and Aroney, "Review of the *Crime and Misconduct Act 2001*" was tabled in the Legislative Assembly. Fundamental and far reaching changes to the RTI and IP Act were recommended by the Review which the Government subsequently "accepted in principle". OIC provided formal submissions to the Attorney-General in relation to this review and has had numerous discussions with senior staff in the Department of Justice and Attorney-General on the impact of this recommendation.

The recommendations following these reviews and reports will have an effect on OIC in the coming financial year. Depending on their nature, they may impact directly on OIC functions and on processes at both the OIC and government agency level.

This financial year, in August 2012, saw OIC farewell Julie Kinross as Information Commissioner. It is appropriate to acknowledge Ms Kinross' significant contribution to promoting open, transparent and accountable government as well as advancing information rights for all Queenslanders. The positions of Information Commissioner and Privacy Commissioner had not been filled as at 30 June 2013.

Despite this uncertainty, OIC has continued to meet all its performance targets and in many cases we exceeded them. This is due to OIC staff who are professional and motivated. Staff readily embraced change and the setting of new priorities. I would like to thank them all for their ongoing dedication and commitment in the performance of their duties.

Both myself, and my fellow commissioners together with OIC staff look forward to continuing to support greater government accountability, openness and transparency through promoting better and easier access to information held by Queensland public sector agencies.

A handwritten signature in dark ink, appearing to read 'Clare Smith', with a stylized, cursive script.

**Clare Smith**  
**Acting Information Commissioner**

# Office management

## Our organisation

The role of the Information Commissioner is to do all things appropriate in connection with performing the functions set out under the RTI and IP Acts. The functions support achievement of the primary objects of the Acts:

- a right of access to information in the government's possession or under the government's control unless, on balance, it is contrary to the public interest to give access; and
- in the case of the IP Act, the fair collection and handling in the public sector environment of personal information and the right to access one's personal information unless, on balance, it is contrary to the public interest to do so, as well as a right to amend that information.

## OIC functions

OIC undertakes activities in accordance with its functions.

### External review function

In relation to external review, activities include:

- reviewing decisions of agencies and Ministers; and
- reviewing whether, in relation to the decisions, agencies and Ministers have taken all reasonable steps to identify and locate documents applied for by applicants.

In relation to other decision-making, the Information Commissioner:

- decides applications for extensions of time
- decides applications about financial hardship status of non-profit organisations; and
- makes, varies or revokes declarations regarding vexatious applicants.

Once an agency makes an access or amendment decision, a person affected by a reviewable decision has a right of 'internal review' of that access decision by an officer no less senior with that agency. Internal review is optional for the applicant. A person not happy with the access decision or the subsequent internal review decision may apply to the Information Commissioner for an external review (merits review) of that decision.

An OIC decision can be reviewed on a point of law, through statutory review to the Supreme Court (judicial review) or on appeal to the Queensland Civil and Administrative Tribunal (QCAT).

### Performance monitoring and review function

In relation to performance monitoring and review, OIC's activities include:

- monitoring, auditing and reporting on agencies' compliance; and
- publishing performance standards and measures for use in reports.

## **Other support functions**

OIC functions also include providing information and help to agencies and members of the public on matters relevant to the RTI Act, in particular, by:

- giving guidance on the interpretation and administration of the legislation
- promoting greater awareness of the operation of the legislation, in the community and within government, by providing training and education programs
- commissioning external research, and consulting experts on the design of surveys, to monitor whether the legislation and its administration are achieving its stated objectives; and
- identifying and commenting on legislative and administrative changes that would improve the administration of the legislation.

## **Privacy functions**

As outlined in the IP Act, OIC activities in relation to privacy can include:

- waiving or modifying privacy principle obligations
- issuing compliance notices; and
- mediating privacy complaints.

An individual who believes an agency has not dealt with their personal information in accordance with the privacy principles set out in the IP Act may make a complaint to the agency. If, after 45 business days, they are dissatisfied with the agency's response, they may bring their complaint to OIC. OIC's role is to attempt mediation of the complaint. If mediation is not successful, or if the complaint is not able to be mediated, then the individual may request OIC to refer it to QCAT.

Performance monitoring and support activities under the IP Act include:

- conducting reviews into personal information handling practices of relevant entities, including technologies, programs, policies and procedures, to identify privacy related issues of a systemic nature generally or to identify particular grounds for the issue of compliance notices
- if considered appropriate, reporting to the Speaker on the findings of any review
- leading the improvement of public sector privacy administration in Queensland by taking appropriate action to:
  - a) promote understanding of, and compliance with, the privacy principles
  - b) provide best practice leadership and advice, by giving assistance to relevant entities on the interpretation and administration of the legislation
  - c) conduct compliance audits to assess relevant entities' compliance with the privacy principles
  - d) initiate privacy education and training, including education and training programs targeted at particular aspects of privacy administration, and education and training programs to promote greater awareness of the operation of the legislation in the community and within the public sector environment
  - e) comment on any issues relating to the administration of privacy in the public sector environment

- f) issue guidelines about any matter relating to the Information Commissioner's functions, including guidelines on how the legislation should be applied, and on privacy best practice generally; and
- g) support applicants under the legislation, and all relevant entities.

## **Our human resources**

### **Staffing**

OIC has the equivalent of 33.1 permanent full time staff. It also employs a number of temporary officers as a result of an approved carry forward for temporary staff pending development of policy solutions to address an increase in external review workload since 2009.

OIC has three statutory office holders appointed by Governor in Council, the Information Commissioner, the Right to Information Commissioner and the Privacy Commissioner.

OIC staff are employed under the *Public Service Act 2008* (Qld).

OIC conducts recruitment and selection processes in accordance with the merit-based requirements of the *Public Service Act 2008* (Qld), and relevant public service commissioner's policies and directives.

### **Executive management**

#### *Information Commissioner*

Julie Kinross completed her three year statutory appointment as Information Commissioner on 9 August 2012.

Clare Smith is the Acting Information Commissioner. Clare has been Acting Information Commissioner on a full-time basis since 11 February 2013. Jenny Mead was Acting Information Commissioner on a full time basis from 10 August 2012 to 8 February 2013.

#### *Right to Information Commissioner*

Clare Smith and Jenny Mead were both appointed as Right to Information Commissioner for a 3-year term commencing on 4 October 2010 on a part time basis.

Jenny Mead has worked full-time in the position since Clare Smith has been Acting Information Commissioner.

#### *Privacy Commissioner*

Lemm Ex is the Acting Privacy Commissioner, a position he was appointed to in November 2011.

Figure 1. Organisational chart

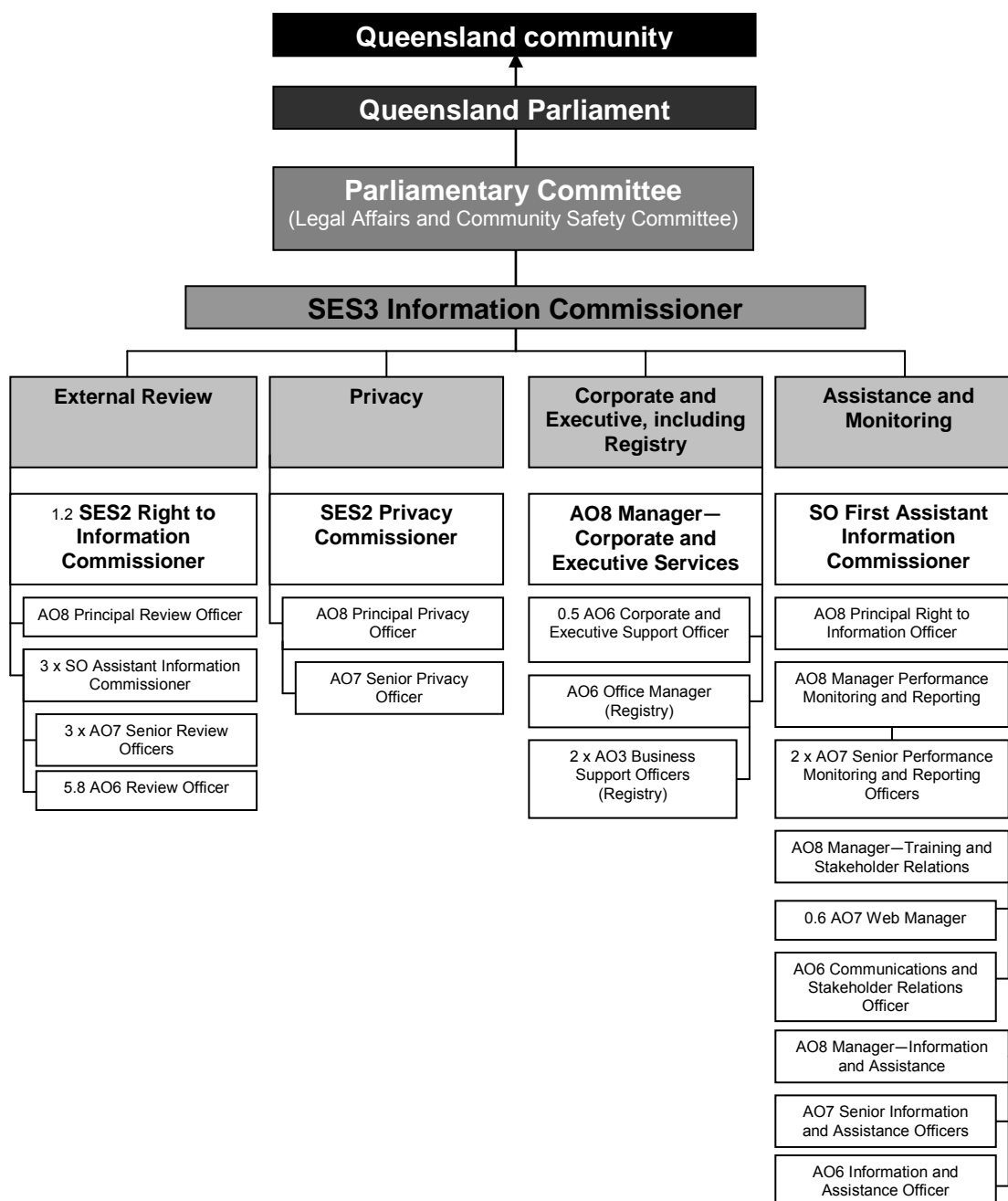


Figure 1 shows the number of full-time equivalent positions, at level, on 30 June 2013 as 33.1.

During the year, the Information Commissioner left OIC at the completion of her 3-year appointment. One resignation was tendered from a permanent Review Officer. Two staff were permanently appointed to vacant review officer positions in the 2012-13 financial year.

Figure 2. Representation of women/men (permanent position) disaggregated by annual earnings

Annual earnings	Female	Male
Above AO8 equivalent (\$109,831+)	6	1
AO8 equivalent (\$103,846–\$109,831)	3	4
AO7 equivalent (\$93,728–\$100,504)	7	1
AO6 equivalent (\$83,765–\$89,619)	9	1
AO3 equivalent (\$53,280–\$59,411)	2	0

Note: These figures are calculated by gender and therefore do not match OIC's full time equivalent staff number.

OIC has a comprehensive employee performance management framework covering induction, performance management, staff development and recognition. All OIC staff have individual personal performance plans which set the key performance objectives for the year. Performance feedback is provided on a regular basis and formally at six monthly intervals.

A key priority for OIC is to maintain an environment of continuing professional growth through skill development, career enhancement and a supporting culture of ongoing learning through participation in university courses, mediation training, seminars, online training, on-the-job training and mentoring by experienced officers. Development needs are identified in individual staff member's personal performance plans.

During 2012-13 OIC expended \$21,184.00 in staff professional development, training, workshops and post-graduate university studies. The annual expenditure equates to approximately 0.6% of employee salaries. This level of expenditure is less than the 2% of employee expenses recommended by the last strategic management review of OIC. However, the level of funds spent on staff development in 2012-13 was considered sufficient to maintain the skill level and confidence of staff, critical to maintaining effective and efficient service delivery. It also reflects that OIC undertakes its own training that is not included in its annual expenditure for training.

OIC has enjoyed stability of its permanent staff since 2009. Training is only given to the recent temporary employees where it is considered necessary for them to perform their duties.

OIC's core training for staff is provided both in-house and by external providers. External training involves attending courses on statutory interpretation, advanced government decision-making, legal professional privilege and alternative dispute resolution. OIC also conducts informal and in-house training sessions coordinated by staff on a range of topics. In the 2012-13 financial year, OIC refined its system for internal monitoring and reporting on legal developments (Legal Developments Monitor). The online annotated legislation continues to be updated and is an important tool for OIC staff that is now available to agencies and community members including legal practitioners.

OIC staff routinely access the same training and education sessions OIC provides for external agencies. Recent examples of this include OIC staff attendance at Fast Track Negotiation Skills, Access Training for Decision Makers and How to deal with a privacy complaint training sessions. Finally, OIC staff undertake OIC's own online training courses.

No staff participated in early retirement schemes or received redundancy or retrenchment packages in 2012-13.

OIC supports flexible working arrangements and work-life balance for its staff. OIC staff accessed a range of initiatives in 2012-13 including flexible hours of work, accrued time, part-time employment, job sharing, paid parental leave, telecommuting, access to a parenting room, study leave and purchased leave.

### **Consultants and contractors**

In 2012-13 OIC spent \$183,428.00 on contractors. No funds were spent on consultants. The expenditure on contractors was planned budget expenditure and related to the costs of:

- a training course facilitator to ensure the capability of agency right to information and privacy practitioners
- a training course facilitator to conduct training for agency right to information and privacy practitioners on early resolution negotiation skills
- implementation of internet and intranet functionality and improved information architecture to enhance usability and accessibility by the community, agencies and OIC staff; and
- three online training courses namely: *Public Health Agencies and the Information Privacy Act - General awareness*, *Right to Information Act - General awareness* and *Information Obligations for Public Sector Officers*.

### **International travel**

No overseas trips were undertaken in 2012-13.

## **Our governance**

The Information Commissioner is a statutory office holder appointed by the Governor in Council under the RTI Act and is independent of ministerial control in the exercise of functions under the RTI and IP Acts.

The Information Commissioner is supported by two other statutory office holders appointed by the Governor in Council: the Privacy Commissioner and the Right to Information Commissioner. The Information Commissioner is accountable to the Legal Affairs and Community Safety Committee and meets with the committee during the course of the year to discuss issues such as OIC's activities, work output, budget, the annual report and any other significant issue. In accordance with the RTI and IP Acts, the Information Commissioner provides an annual report to Parliament through the Speaker.

While the Information Commissioner is independent of ministerial control, under section 133 of the RTI Act, OIC's budget must be approved by the Attorney-General, the Minister responsible for the Act.

Related key elements of the governance and accountability framework include the Service Delivery Statement and Estimates Committee hearings. Three separate reports on reviews under the RTI Act or IP Act were made to the Parliamentary committee in 2012-13. The Parliamentary Committee may also require a report on a particular aspect of OIC's performance.

An independent strategic review of OIC is required under section 186 of the RTI Act. The terms of the strategic review are to be decided by the Governor in Council. Before a reviewer is appointed, the Minister must consult with the Parliamentary committee and the Information Commissioner about the appointment of the reviewer and the terms of reference for the review. The strategic review is to include a review of the commissioner's functions and performance of those functions to assess whether they are being performed economically, effectively and efficiently. A strategic review is yet to be conducted.



Section 183 of the RTI Act and section 192 of the IP Act, requires the Minister to start a review of the RTI and IP Acts no later than two years after the commencement of the section. This review has commenced. The Minister must table a report about the outcome of the review in the Assembly. The objects of the review include deciding whether the primary object of the Act remains valid, whether the Act is meeting its primary object and deciding whether the provisions of the Act are appropriate for meeting its primary object.

OIC's executive management team in 2012-13 comprised the Information Commissioner, the Right to Information Commissioner, the Privacy Commissioner, the First Assistant Information Commissioner and the Manager—Corporate and Executive Services. Given the size of OIC, monthly 'all staff' meetings are held. This is the mechanism through which staff are consulted and provided information on operational planning, risk management, workplace health and safety, and waste management issues.

During 2012-13, staff were involved in the review of strategic and operational planning.

In relation to training conducted by OIC, we seek feedback from parties subject to external reviews, agencies being reviewed and training participants. Feedback is obtained through a number of mechanisms including surveys, a dedicated email service, OIC's website and an external, client-based reference committee.

### **Corporate services**

In 2012-13 OIC purchased corporate services through a service agreement with the Queensland Parliamentary Service at a cost of \$158,387.00. These services include information communication technology systems and support, human resource management services and financial services for OIC. This is a reduction in expenditure from the previous reporting period (2011-12: \$161,243.00).

### **Information and technology**

Information and communication systems support OIC in maintaining the necessary security of information required during an external review. OIC has a service agreement for information and communication technology services with the Queensland Parliamentary Service, which provides high-level security. OIC has policies and network protocols in place to provide all OIC staff with clear guidelines on the responsibilities of each individual regarding ethical information management, usage and access of systems within OIC.

OIC staff at the commencement of their employment are required to sign a Deed of Confidentiality that recognises the sensitivity of the information they deal with.

OIC continues to maintain significant information holdings regarding right to information and privacy. This includes annotated legislation, case law and research tools. This resource continues to assist practitioners and the community when considering or using right to information and privacy services.

In December 2012, the Queensland State Government initiated the Open Data scheme. This was in recognition that the data held by Government is the property of the people of Queensland and accordingly should be publicly available as a matter of course. In 2013-14 OIC will, along with other statutory authorities, publish its Open Data strategy and release datasets through the [data.qld.gov.au](http://data.qld.gov.au) portal.

### **Code of conduct and ethics implementation statement**

In accordance with section 17 of the *Public Sector Ethics Act 1994* (Qld), OIC has in place a Code of Conduct. OIC is prescribed as a 'public service agency' under the Public Sector Ethics Regulation 2010 and therefore applies the Code of Conduct for the Queensland Public Service to OIC staff.

In accordance with section 23 of the *Public Sector Ethics Act 1994* (Qld), OIC provides a formal induction process for new staff. During induction, staff are provided with a copy of the Code of Conduct. The induction process requires staff to read and confirm their understanding and ability to apply the Code of Conduct.

Prior to 31 December 2012, OIC staff received training on public service ethics on an annual basis. Since 1 January 2013, training is conducted for new staff commencing in the current year. Biennial public service ethics training is provided to all staff to reinforce and highlight employee obligations. Staff can readily access the Code of Conduct through OIC's intranet site.

In addition, all of OIC strategic plan values, staff performance agreements, procedures, practices and training give proper regard to the approved Code of Conduct, ethical decision making and *Public Sector Ethics Act 1994* (Qld) in particular, the ethics obligations of public officials.

### **Risk management**

The objective of OIC's Risk Management Policy is to facilitate developing a risk management culture within OIC and to assist all staff in implementing sound risk management practices.

In applying risk management principles it is expected that staff at all levels will:

- seek to reduce vulnerability to both internal and external events and influences that can impede achieving the goals of OIC
- seek to capitalise on opportunities to enhance OIC business processes and create value; and
- contribute to effective corporate governance.

OIC's risk management framework is designed to encourage an integrated approach to managing all risks that impact on achieving OIC's strategic, and business, objectives. It is built around having a common language and common approach to help identify which risks are significant, and the most effective way to address and eliminate, or minimise, these risks.

The Risk Management Policy was reviewed and updated in 2012-13.

### **Complaints management**

OIC's complaints management process is promoted on OIC's web site.

Complaints, which cannot be informally resolved, are to be made in writing to the Manager—Corporate and Executive Services and are handled independently of the areas about which the complaint is made. Feedback is taken seriously and where specific improvements can be identified, they are implemented as soon as practicable.

Complaints cannot be dealt with by OIC where the complaint concerns the merits or legality of a decision. In these circumstances, the participant may be able to appeal to QCAT or to apply to the Supreme Court for a statutory order of review. Appeals and reviews of this nature can only be taken on a point of law.

During 2012-13, OIC received three general complaints.

One complaint related to OIC mail handling. An applicant's external review resolution letter was sent to the agency subject to the access application decision review. The letter contained only information that the agency already had in their possession.

This complaint was investigated and it was identified as an administrative error that should not have occurred. OIC apologised to the applicant and provided an explanation by

telephone and through a follow up letter. The administrative practices of the OIC were reviewed and all staff were reminded of the need to be diligent when handling mail in order to minimise the risk of the error occurring again.

The second complaint related to an external review decision. The applicant complained that their privacy had been breached because OIC published the decision on its website. The complaint also alleged that OIC had engaged in a misleading practice by not noting on the published decision that the decision was on appeal.

This complaint was referred to the Manager, Executive and Corporate Services for investigation. The OIC considered it had acted appropriately. The complainant was advised that OIC is obligated under law to publish its decisions concerning external review. The complainant was further advised that OIC is not required, on published decisions, to make a notation that the decision is subject to an appeal.

The third complaint related to a decision by OIC not to deal with two external review applications because the information forming the subject of the reviews had already been disclosed by the agency to the access applicant. The complainant alleged that the agency should not have disclosed the information and accepted that the OIC had correctly exercised its external review function, but felt that the OIC should have taken action to investigate the actions of the agency under one of its other functions.

The Acting Information Commissioner was satisfied that OIC had acted appropriately and in accordance with legislation. OIC took the opportunity to offer guidance and training to the agency involved, to assist in improving the quality of application handling practices in order to avoid similar issues occurring in future.

The complainant was notified of this outcome.

## **Carers**

OIC recognises that carers in our community make a significant contribution to the people they care for and the economic and social wellbeing of the community. OIC supports the objects of the *Carers (Recognition) Act 2008* (Qld) and the Carers Charter principles.

All staff are made aware of the obligations required to comply with section 9 of the *Carers (Recognition) Act 2008* (Qld).

## **Record keeping**

In compliance with the provisions of the *Public Records Act 2002* (Qld), OIC is required to make and keep full and accurate records of its activities and have regard to any relevant policy, standards and guidelines made by the State Archivist about the making and keeping of public records.

OIC applies whole-of-government information policies and standards including 'Information Standard 40: Record Keeping' to ensure its records are accountable, reliable and secure. Office systems are supported by internal guidelines, procedures and policies regarding the management of information and records.

Staff are fully trained in the creation, maintenance and management of records for system compliance with monitoring, management and auditing requirements.

## **Legislative compliance**

A Workplace Health and Safety (WHS) program is embedded within OIC's culture and practices. All staff are informed, and made aware of, the employer's and each employee's responsibility to create and maintain a safe workplace for everyone at OIC. All staff are expected to be vigilant in identifying, reporting and addressing potential WHS risks. One

event resulting in injury was reported in 2012-13. This involved a staff member slipping on rain wet flooring at the building's entry and sustaining an injury.

No public interest disclosures were made to OIC under the *Public Interest Disclosure Act 2010* (Qld).

Section 26 of the RTI Act provides that an access application cannot be made or transferred to the Information Commissioner, Right to Information Commissioner or Privacy Commissioner. OIC did not receive any access applications in 2012-13.

### **Environmental sustainability**

OIC has a Waste Management Policy which emphasises waste avoidance, reduction, reuse and recycling. In particular OIC has implemented practices to reduce paper usage, and to recycle cardboard and paper.

All non-essential office lighting is switched off at the end of each day. Where appropriate, all electrical appliances are turned off at the wall when not in use. Individual computers are placed into shutdown mode overnight. Air conditioning temperature is maintained at 23.5 degrees Celsius for summer operation.

### **Legislative developments/changes**

During 2012-13 the RTI and IP Acts were amended by four Acts.

The *Hospitals and Health Boards Act 2011*, amended by the *Health and Hospital Network and Other Legislation Amendment Act 2012*, commenced on 1 July 2012. It amended references to 'Queensland Health' in the IP Act to 'health agencies' to account for the division of Queensland Health into multiple agencies from 1 July 2012. In addition, the *Hospital and Health Boards Act 2011* made provision for how to deal with applications on foot with Queensland Health on 1 July 2012 when the division occurred.

The *Local Government and Other Legislation Amendment Act 2012* amended the definition of 'responsible Minister' for local government in section 113 of the RTI Act. This section requires the Information Commissioner to bring evidence of any breach or misconduct in the administration of the RTI Act to the notice of the responsible Minister. It also excluded information relating to the delegation by Brisbane City Council to the committee under the *City of Brisbane Act 2010*, or the power to be exercised under the delegation, from the exemption provision in schedule 3, section 4A(1) of the RTI Act.

The *Right to Information and Integrity (Openness and Transparency) Amendment Act 2012* introduced new disclosure log requirements for departments and Ministers, a provision prohibiting all agencies from including certain types of information in their disclosure log, and new requirements for making an RTI application. These changes include:

- departments and Ministers are now required to include details about applications they receive, including what was applied for and the date it was received, in their disclosure log, and, once documents that do not contain the applicant's personal information are accessed by the applicant, the applicant's name and copies of the documents
- applicants must now advise agencies whether or not they are applying for documents with the intention of benefitting someone else; and
- information agencies must not publish on disclosure logs includes information which would unreasonably invade someone's privacy, may be defamatory, or is confidential.

The *Queensland Rail Transit Authority Act 2013* established the Queensland Rail Transit Authority and made consequential amendments to the RTI Act, including adding the Queensland Rail Transit Authority to the list of public authorities in section 16 of the RTI Act and replacing 'rail GOC' with 'rail government entity under the *Transport Infrastructure Act 1994*'.

### **Machinery-of-government changes**

As of 30 June 2013, OIC has not been affected by machinery-of-government changes.

# Service one

**An independent, timely and fair review of decisions made under the *Right to Information Act 2009 (Qld)* and the *Information Privacy Act 2009 (Qld)***

## Key activity

- Continue to develop alternative dispute resolution approaches and skills in external review.
- Improve quality resolution and decision-making services by developing and maintaining comprehensive case and knowledge management systems.
- Determine external review applications through formal written decisions.

Service standard	Targets	Achievements	
		2011-12	2012-13
Percentage of applicants satisfied with the conduct of the review.	70%	71%	78%
Percentage of agencies satisfied with the review service provided.	75%	98%	97%
Median days to finalise a review.	90 days	90 days	59 days
Percentage of open reviews at the end of reporting period that are more than 12 months old.	0%	1.8%	0%
Number of reviews finalised.	300	457	458
Percentage of reviews resolved informally compared to reviews resolved by written determination.	75%	88%	88%
Percentage of review applications finalised to received.	100%	113% <sup>1</sup>	86%

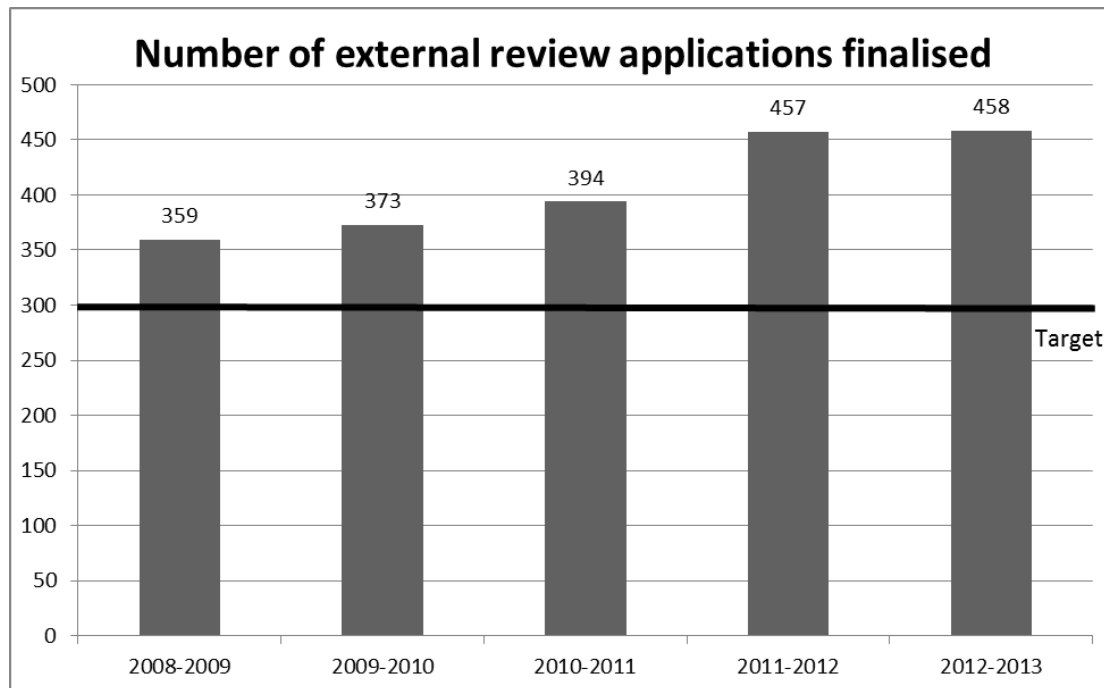
<sup>1</sup> More applications were finalised than received during the reporting period due to carry-over from the previous period.

In 2012-13, OIC conducted external review of decisions made under the RTI and IP Acts. The process of external review involves independently reviewing certain decisions made by Queensland Ministers, public sector agencies and public authorities about access to information and amendment of personal information.

During the 2012-13 reporting period OIC received 533 applications. This figure represents a 25% increase in the number of applications received. Figure 5 on page 20 displays the number of applications received by year since 2008-09.

Figure 3 depicts the number of review applications finalised by OIC over a five year period. During this reporting period OIC finalised a record number of 458 review applications. This is significantly more than the annual target of 300 and consistent with the 457 closures in the previous financial year. The continued high closure rate can be attributed primarily to increased temporary resources and capitalisation on improved efficiencies in work practices.

*Figure 3. Number of external review applications finalised*



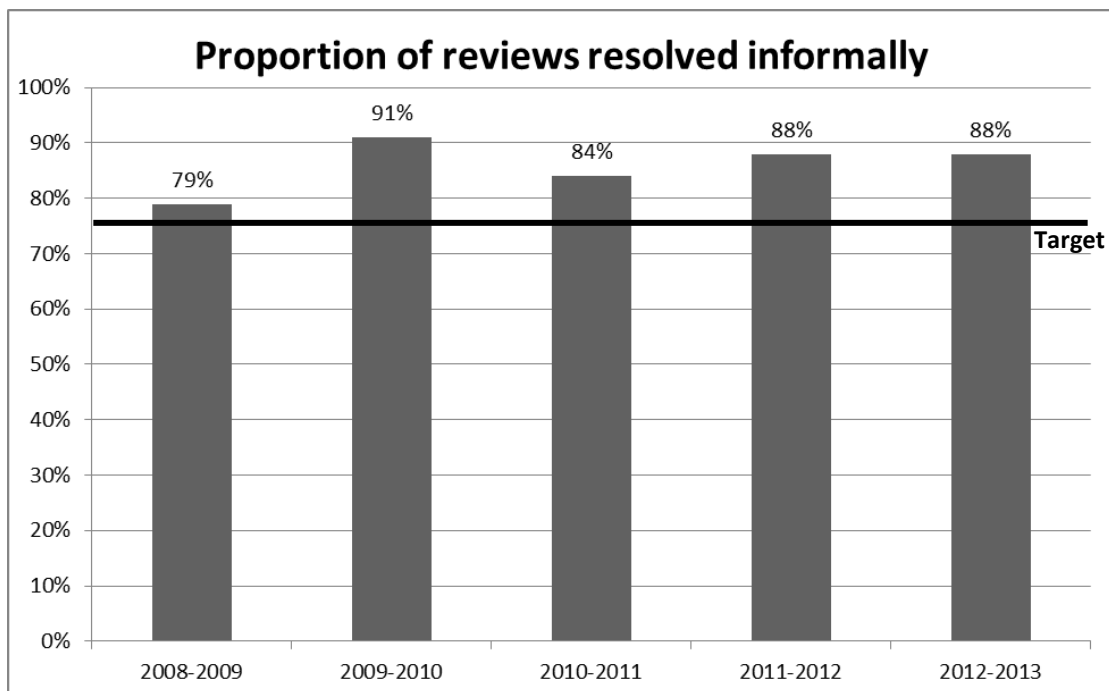
## Resolving applications

Applications for external review may be resolved early or determined formally by written decision.

### Early resolution

The RTI and IP Acts require the Information Commissioner to identify opportunities and processes for early resolution of an external review application, including mediation, and to promote settlement of an external review application. If an external review is resolved informally each participant is given a notice that the review is complete.

Figure 4. Proportion of reviews resolved informally

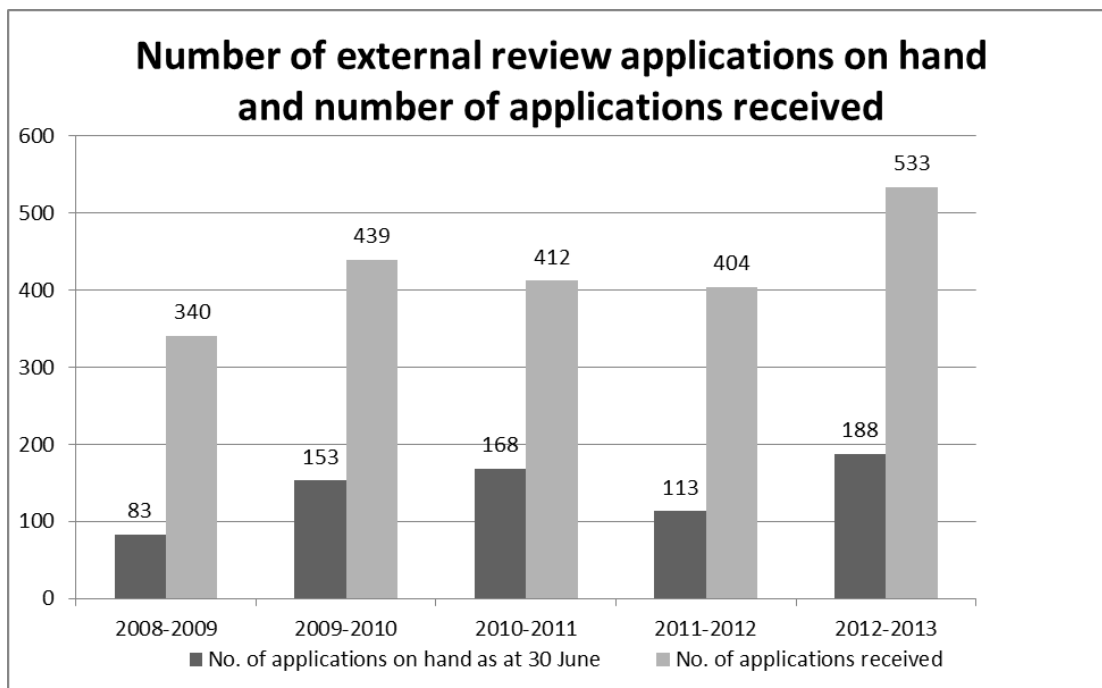


### Resolution of reviews

The percentage of reviews finalised informally during the 2012-13 reporting period was 88%. This represents a continuing high rate of informal resolution of reviews exceeding OIC's target of resolving 75% of reviews without a formal decision.

Figure 5 shows that the number of applications on hand at the end of this financial year was 188. The increase is caused by the large volume of applications received, particularly with 82 applications received in the last month of the reporting period.

Figure 5. Number of external review applications on hand and number of applications received





## External review decisions

A written decision is one in which the Information Commissioner affirms, varies or sets aside the agency decision under review and makes a substituting decision.

The Information Commissioner must publish written decisions. Decisions, and reasons for decision, are published on OIC's website, except to the extent they contain exempt information, or are contrary to the public interest.

In 2012-13 OIC made 57 written decisions: 48 of these were made under the RTI Act and nine under the IP Act.

### Appeals on a question of law to the Queensland Civil and Administrative Tribunal

Under section 119 of the RTI Act and section 132 of the IP Act, an external review participant is able to appeal to the Queensland Civil and Administrative Tribunal (QCAT) against a decision of the Information Commissioner on a question of law.

During the 2012-13 reporting period, seven appeals were made to QCAT by external review applicants in relation to decisions of the Information Commissioner. QCAT granted leave to withdraw two matters. Two appeals were upheld and the matters remitted to the Information Commissioner to reconsider. Three appeals remain under consideration by QCAT.

During the 2012-13 period, QCAT also determined four appeals that had been lodged in the previous year. All four appeals were dismissed on the basis that the appellant had not established a question of law.

### Judicial review of decisions

Written decisions of the Information Commissioner may be judicially reviewed by the Queensland Supreme Court under the *Judicial Review Act 1991* (Qld).

No applications for a statutory order of review were made to the Supreme Court during 2012-13.

### Applicant satisfaction with the conduct of the review

In 2012-13, applicants were surveyed if their applications for external review required a substantive review. If an application did not proceed to review because, for example it was outside of OIC's jurisdiction, the applicant was not surveyed. Consistent with previous years and applicant feedback:

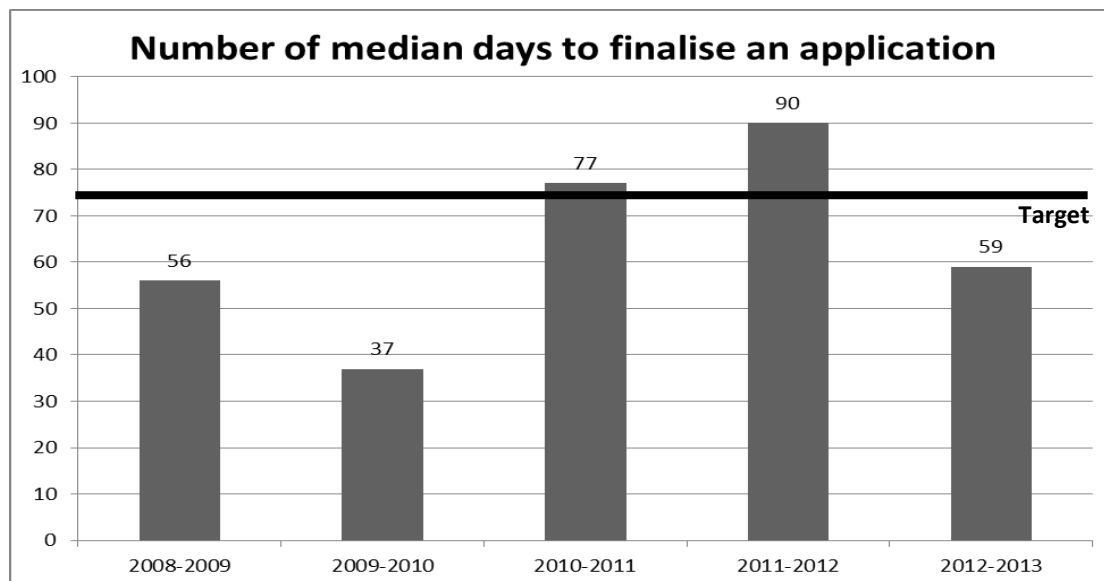
- an applicant who had more than one review in the year was surveyed only once for the year; and
- surveys were sent following the file closure letter.

78% of applicants were satisfied overall with the review service provided by OIC in 2012-13. This exceeds our service standard of 75%.

## Timeliness

OIC measures its timeliness by calculating the median number of calendar days for an external review to be resolved or finalised. The median number of calendar days for an external review to be finalised in 2012-13 was 59 days. This was an outstanding result. The service standard is 90 days which reflects previous years' performance. Timeliness in dealing with external reviews is constantly reported as being of primary importance to applicants.

Figure 6. Number of median days to finalise an application

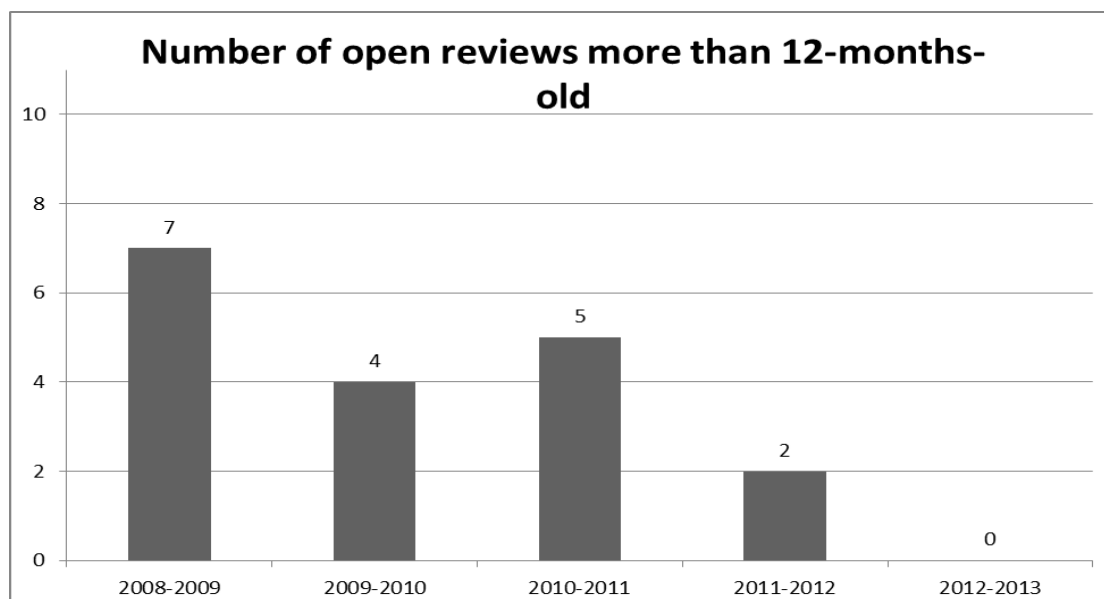


### Number of open reviews more than 12 months old at the end of the reporting period

A small number of reviews take an extended period to resolve for a range of reasons, including most often, complexity of the issues. A performance measure was introduced in 2005-06 with a target of having fewer than 10 reviews more than 12 months old. This measure was superseded in the 2011-12 Service Delivery Statement by an amended efficiency measure of 0% as a result of a whole-of-government review process.

As at 30 June 2013, no reviews more than 12 months old remained open. This was achieved despite the continuing high number of incoming review applications and can be attributed to additional temporary resources, a continued emphasis on early resolution and efforts to project manage and prioritise older files during the reporting period.

Figure 7. Number of open reviews more than 12-months old



## Applications for financial hardship status

Under section 67 of the RTI Act, a non-profit organisation may apply to the Information Commissioner for financial hardship status. Where financial hardship status is granted, the decision has effect for one year from the date of the decision.

In 2012-13, the Information Commissioner received six applications for financial hardship status. One application was subsequently withdrawn, two were not granted and the remaining three were granted.

### **Case study 1: responding to applicant concerns as an alternative to focussing on access to documents**

Sometimes, when access is refused under the RTI Act, applicants make incorrect assumptions about the information that has been withheld. While OIC is under strict obligations not to disclose information in issue, sometimes through discussion and negotiation, agencies agree to OIC providing an explanation to the applicant which directly addresses their concerns without the need to disclose information which would be contrary to the public interest. OIC has successfully resolved a number of reviews on this basis in the 2012-13 financial year.

In one circumstance, an applicant applied for a copy of a medical record. Access was refused on the basis that the record contained a third party's personal information and disclosure would, on balance, be contrary to the public interest.<sup>2</sup> On external review, the applicant submitted that if information was refused, it could only be assumed that the Hospital and Health Service (HHS) had something to hide.

OIC assured the applicant that a decision maker is specifically prohibited from taking into account that disclosure could cause embarrassment to the Government.<sup>3</sup> We also explained that the HHS had agreed to OIC disclosing that, two crucial facts that the applicant assumed would be exposed by release of the information in issue, were not present in the information in issue.

In another external review, an applicant sought medical records of a deceased relative to confirm his suspicions about how the relative had ended up in hospital. The applicant was not able to obtain a copy of the medical record itself because in OIC's view, the agency had reached the correct decision that disclosure would, on balance, be contrary to the public interest. However, we negotiated with the HHS to confirm to the applicant that his suspicions about what the documents contained, were incorrect and on this basis, the external review was resolved without the need to disclose any sensitive personal information.

<sup>2</sup> Under sections 47(3)(b) and 49 of the RTI Act.

<sup>3</sup> Schedule 4, part 1, item 1 of the RTI Act.

### **Case study 2: providing a summary document that addresses the concerns/interests of all parties**

A number of external reviews were informally resolved in the 2012-13 financial year by focussing on the parties' interests and generating alternative options to meet these interests. An example of this, is a series of applications made for access to documents relating to fraud, official misconduct and corruption involving agency staff. The agencies generally refused access to these documents on the basis that the information was obtained, used or prepared for an investigation by the Crime and Misconduct Commission in the performance of its prescribed functions (CMC exemption)<sup>1</sup>.

On external review, OIC worked with all parties to negotiate the creation of a new document summarising the relevant information in a de-identified way. Although agencies are not required to create documents in response to access applications, this option was agreed upon to informally resolve the external reviews without the need for a formal decision – a solution in the interests of both parties. The summary document contained details of investigations conducted by the agencies (including information about the allegations made, how each matter was dealt with and the final outcome of each investigation) and was not prohibited from release by the CMC exemption. On the basis of a summary document being provided, the applicant agreed to informally resolve these reviews.

Sections 47(3)(a), 48 and schedule 3, section 10(4) of the RTI Act.

### **Outlook for 2013-14**

In the coming year we will:

- continue to enhance dispute resolution approaches and skills within external review
- continue to offer the 'Fast Track Negotiation Skills' training package for right to information and information privacy practitioners
- continue to develop community guidelines on commonly sought information to explain to applicants where information is not usually provided under the legislation and consequently assist both agencies and external review in demand management
- continue to improve efficiency with the maintenance of easily accessible online information resources, including annotated legislation
- maintain an independent, timely and fair review of decisions made under the RTI Act and IP Act
- continue to liaise with all stakeholders to improve service delivery across government
- monitor the operation of the RTI and IP Acts to identify any key issues; and
- contribute to the current legislative review of the RTI and IP Acts.

## Service two

### An independent and timely privacy complaint resolution service

#### Key activities

- Resolve privacy complaints.

Service standard	Targets	Achievements	
		2011-12	2012-13
Percentage of complainants satisfied with the conciliation service.	70%	Insufficient meaningful data	Insufficient meaningful data <sup>1</sup>
Percentage of agencies satisfied with the privacy service provided.	75%	100%	100%
Percentage of privacy complaints not formally referred to QCAT for determination.	75%	96%	96%
Median days to finalise a privacy complaint.	90 days	4 days	18 days
Percentage of privacy complaints finalised to received.	100%	93%	88%

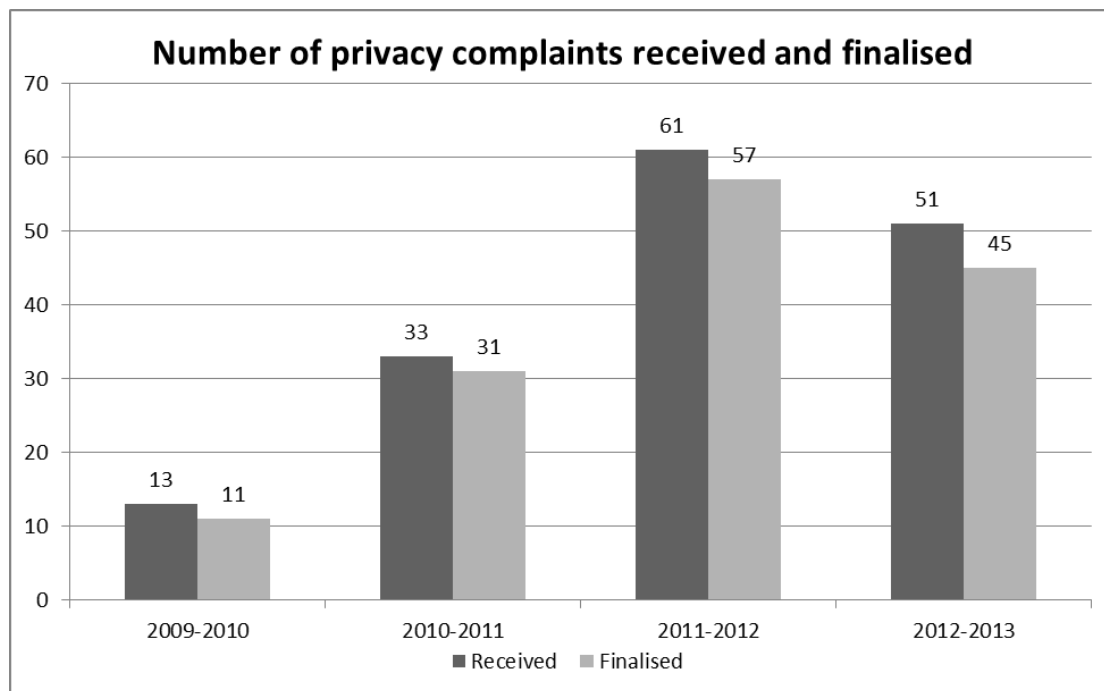
<sup>1</sup> The number of complaints received was too low for the measure to be meaningful.

OIC provides a privacy complaint mediation service if a complainant is not satisfied with an agency's response to their complaint. Under the IP Act, a person may make a privacy complaint to the Information Commissioner if they have first made the complaint to the agency, and 45 business days have elapsed. All privacy complaints are initially assessed against the legislative requirements. The Information Commissioner may decide to decline to deal with the complaint, refer the complaint elsewhere, attempt to mediate the complaint, or refer a complaint that cannot be resolved through mediation to QCAT. OIC endeavours to resolve all privacy complaints in a timely, effective and efficient manner.

51 complaints were received during the year. 45 complaints were finalised during the year. OIC again exceeded its target of finalising complaints within 90 days, achieving a median time to finalise a complaint of eighteen days.

*"Staff of the Privacy Commissioner are also very helpful and give timely and thorough advice..."*  
(Agency feedback)

Figure 8. Number of privacy complaints received and finalised



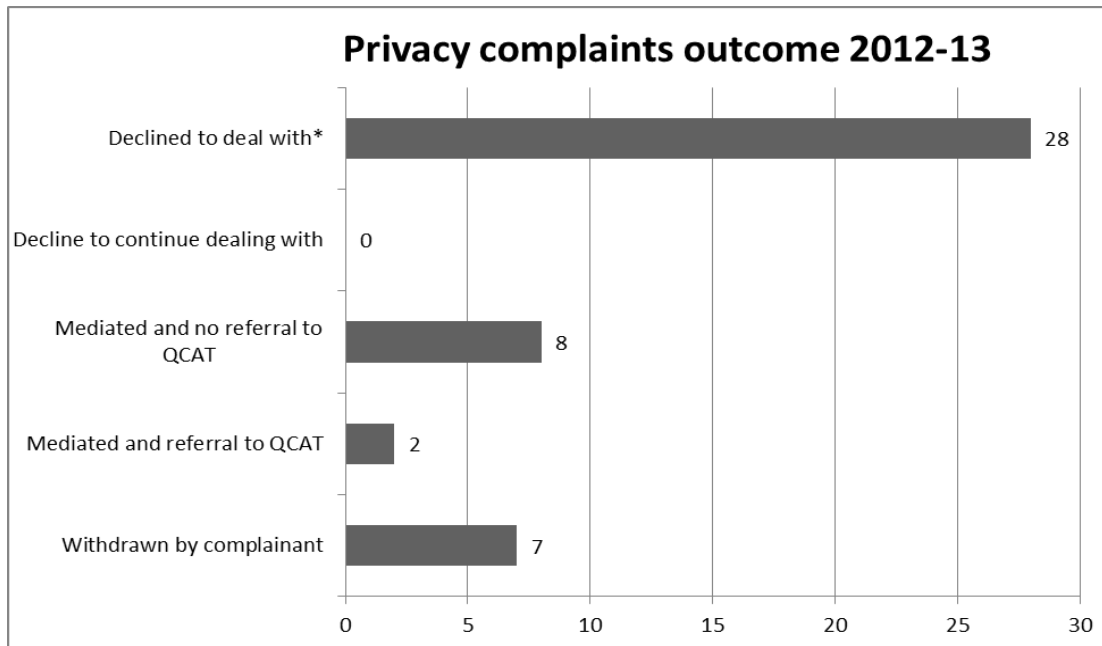
The number of complaints received in 2012-13 was slightly down compared to 2011-12 financial year. A continuing trend is a significant proportion of these complaints failed to meet the technical requirements of a privacy complaint under the IP Act. The largest single reason for non-acceptance (33% of all complaints) remains the complainant having either failed to lodge their complaint with the relevant government agency first and/or they had failed to allow the agency the required time of 45 business days to deal with the complaint.

The privacy principles allow a large degree of flexibility of information flow for legitimate business reasons. The privacy principles in the *Information Privacy Act 2009* are technical in nature and do not always align with a lay person's understanding of the term 'privacy'. Consequently, some complaints concern actions which are not breaches of the Act. OIC declines to deal with these complaints on the basis that the complaint is unsupported in law.

To assist in remedying this deficiency OIC has, among other measures, further re-designed its online form to assist complainants in understanding their privacy rights. OIC produced a plain English publication on the 10 most common 'privacy myths'. OIC has also started to produce short animated features as a means of visually publicising the privacy message.

Also, OIC has initiated the quarterly convening of Privacy Contact Officers as part of the Right to Information and Information Privacy Practitioner Forum as another mechanism for disseminating and sharing privacy resources. A breakdown of complaint outcomes are outlined in Figure 9.

Figure 9. Privacy complaints outcome 2012-13



\*The complainant did not meet the requirements of a privacy complaint as set out in Chapter 5 of IP Act. For example, complainant had not complained to the agency first, complaint concerned organisations not covered under the IP Act such as private sector organisations subject to the Commonwealth *Privacy Act 1988* or the action was not a breach of the IP Act.

### **Case study**

A department with a strong community presence regularly collects personal information about members of the community. It does so lawfully, under a legislative framework related to its functions and activities.

A regional office of this department initiated an expansion of the personal information it collected beyond that which was needed for immediate departmental needs. The basis for the initiative was that some of the information may be of use to the department if there were to be subsequent interactions involving these individuals. The collected personal information was stored outside of the department's official database.

A person whose information was collected in this manner considered that the department had no authority to collect their information on a 'just-in-case' basis and made a privacy complaint. The person's complaint was that because there was no immediate purpose for the collection, in doing so, the department was breaching Information Privacy Principle 1.

The department in responding to the complaint acknowledged that if it needed to collect the personal information for an actual activity involving the person, there was adequate legislative authority for it to do so. It also acknowledged that at the time of collection it had not required the personal information in the performance of one of its specific functions or activities. However, the department argued that there was a general statutory right for it to conduct 'intelligence gathering' because of the nature of its responsibilities.

The privacy complaint was escalated to OIC. The department through the mediation process agreed to destroy the collected personal information and to refrain from further collections of this nature.

The complainant was satisfied with this outcome.

### **Outlook for 2013-14**

In the coming year we will:

- continue to provide an independent and timely privacy complaint resolution service
- continue to develop, promote and share information resources with stakeholders including the development of an online privacy complaints training module for privacy practitioners, the sharing of resources and experiences in practitioner forums and highlighting good privacy practices and procedures through the OIC's current review of privacy-compliant complaint handling systems
- continue to liaise with all stakeholders to improve service delivery across government including better access to information about agency complaint processes; and
- continue to provide input into the Queensland State Government's Open Data scheme through OIC's active involvement in the Open Data Senior Officers Working Group and the development of further tools and guidance material to assist agencies to maximise the release of data.



## Service three

### Foster improvements in the quality of practice in right to information and information privacy in Queensland Government agencies

#### Key activity

- Produce and provide tools, resources and training.
- Monitor, audit and report on agencies' compliance with the legislation.

Service standard	Targets	Achievements	
		2011-12	2012-13
Percentage of agencies satisfied with the information and assistance provided from the OIC.	75%	100%	97%
Percentage of agencies satisfied with the quality of information provided.	75%	98%	100%
No. of training activities provided.	30	31	35
No. of people trained.	500	1,027	2,983
Percentage of course participants satisfied with sessions.	75%	99%	99%
No. of monitoring and compliance activities.	10	178	106

#### Information and assistance

One of OIC's major functions is to provide information and assistance to agencies and members of the public on the interpretation and application of the RTI and IP Acts.

OIC produces tools and resources for use by agency staff and members of the community to help them understand, apply and use the right to information and information privacy legislation. All information resources produced by OIC are published on OIC's website.

In 2012-13, OIC continued to produce guidelines for use by agency staff to assist with ongoing compliance with RTI and IP obligations. As part of its commitment to educating and informing members of the public about their information access and amendment rights, OIC has restructured its community resources to make them more accessible and easy to understand. As part of this process, OIC has developed a range of information sheets for use by applicants and members of the community.

Figure 10 sets out the guidelines and Figure 11 sets out the information sheets published by OIC on its website during 2012-13.

Figure 10. Guidelines published for agencies

<b>Guidelines for agencies</b>
Charging for applications received before 1 July 2013
Privacy compliance and camera surveillance
Drones – collection, storage and security of personal information
Drones – outsourcing, use and disclosure of personal information
Privacy and drone technology – an introduction
Privacy and Mobile Apps
Documents of an agency and documents of a Minister
Departments and ministers – disclosure logs and personal information
Disclosure logs – departments and Ministers
Exempt information: Crime and Misconduct Commission investigation
Transferring access applications
Dataset publication and de-identification techniques
Dataset publication and privacy
Dataset publication and risk assessment
Post-application documents
Exempt information: Breach of confidence
RTI and privacy obligations of ministerial staff (including attachment: What citizens legal rights to information and privacy mean for you)
Schedule of relevant documents and Charges estimate notice
Information Obligations of Public Service Employees

Figure 11. Information sheets published for the community

<b>Information sheets for the community</b>
Applying for complaints
Recruitment process documents
Workplace investigation documents
Accessing my medical records
Justice Examination Order documents – a guide for applicants
Top ten privacy myths – busted!
Person recorded as birth father in agency documents – a guide for applicants
How to make a privacy compliant – a guide for individuals
The role of OIC's External Review team – a guide for applicants
Exempt Information: Crime and Misconduct Commission investigation – a guideline for applicants
Explaining your review rights – a guide for applicants
Overview of the application process: what to expect – a guide for applicants

Many of OIC's guidelines and other resources published on its website are prepared to address issues raised or identified in the course of providing the enquiries service, conducting training and attendance at other forums including the RTI/IP Practitioner forum, external reviews, and research into interstate and overseas legal developments. Such issues include those that relate to agency practices, common misunderstandings by community members, and amendments to RTI and IP legislation.

As agency right to information and information privacy practices mature, OIC will continue to concentrate on producing more community oriented and targeted publications to improve public awareness and engagement. Such publications will also assist agencies to more clearly explain how the legislation operates in their dealings with the community.

In addition, OIC has undertaken a widespread and comprehensive review of its existing guidelines to ensure they remain relevant, accurate and useful. To date, over 100 guidelines have been reviewed and updated. With over 140 published resources in total, this review will be ongoing in 2013-14.

## **Performance monitoring and reporting**

In 2012-13 three OIC performance monitoring reports were tabled in Parliament.

In Compliance Review – Department of Transport and Main Roads: Review of the Department of Transport and Main Roads' compliance with the *Right to Information Act 2009* (Qld) and the *Information Privacy Act 2009* (Qld), OIC found the Department of Transport and Main Roads (TMR) regularly published valuable public sector information as a matter of course, through its publication scheme and disclosure log. OIC found that TMR's approach to handling requests for information was of a high standard, and other agencies should consider adopting their practices as a guide to efficient and client-focused information management. Overall, OIC considered that TMR had an open culture, focused on the release of information to the community. A progress report has been provided by TMR and will be the subject of a follow-up review report to parliament in 2013-14.

In Camera surveillance and privacy: Review of camera surveillance use by Queensland government agencies and compliance with the privacy principles in the *Information Privacy Act 2009* (Qld) OIC reported on a review under the IP Act to assess the extent to which agencies have incorporated the information privacy principles in their use of camera surveillance. OIC found that Queensland government agencies used more than 20,000 cameras across the state to monitor people in public places. OIC found that ambiguity surrounding management responsibilities of camera surveillance systems represented a risk, which if left unmanaged, could result in a significant privacy breach. OIC recommended that all Queensland government agencies review their camera surveillance systems, and the policies and procedures regarding their governance to improve compliance with the privacy principles under the IP Act.

In Results of Desktop Audits 2011-12: Review of Publication Schemes, Disclosure Logs and Information Privacy Awareness in Departments, Local Governments, Statutory Authorities and Universities, OIC reported on desktop audits conducted during 2011–12 of over 160 agencies to review their websites for compliance with the legislative requirements regarding publication schemes, disclosure logs and specific privacy principles. Most agencies reviewed, had satisfied basic requirements for publication schemes and disclosure logs, but had opportunities for improvement to achieve full compliance. The majority of agencies required significant action to improve compliance with the requirements of Information Privacy Principles (IPP) 2 (providing advice to individuals about the reasons for collecting their personal information) and 5 (advising the public about personal information held by the agency) of the IP Act.

Four reports for reviews and audits completed during 2012-13 will be presented to the Parliamentary Committee in 2013-14.

In 2012-13, OIC carried out an electronic self-assessed audit across all agencies to monitor progress in implementing all RTI and IP legislative obligations across the Queensland public sector. The electronic self-assessed audit repeated an audit first conducted in 2010, to monitor agency progress over time. The original audit was issued as a document. The most recent electronic audit was an online instrument, enabling agencies to skip over questions that did not apply to the agency. This reduced the number of questions to be answered, particularly for agencies who had already reported a high level of compliance in the previous audit, whilst maintaining a high level of comparability between the two audits. 187 agencies responded, a significant response rate of 91%. The results of the electronic self-assessed audit will be reported and tabled in 2013-14.

Desktop audits were conducted during 2012-13 of 96 agencies to review their websites for compliance with the legislative requirements regarding publication schemes, disclosure logs and specific privacy principles. These audits focussed on local governments, Government Owned Corporations and statutory authorities. Desktop audits of departments were postponed until early in 2013-14 to allow departments to rebuild their websites following machinery-of-government changes and legislative amendments to the RTI Act changing disclosure log requirements for departments and Ministers. Agency websites reviewed, satisfied basic requirements for publication schemes and disclosure logs, but required improvement to achieve full compliance. The audits examined agency compliance with IPP 2 and IPP 5. Agencies generally required some degree of action to improve compliance with the requirements of both of these privacy principles.

OIC conducted one agency right to information and information privacy compliance review in 2012-13 in relation to the Department of Education, Training and Employment. The report of this review will be tabled in 2013-14.

Also, OIC conducted a review of the implementation of the recommendations of two agency compliance reviews in relation to Queensland Health and the Queensland Police Service. A report of these two follow-up reviews will be tabled in 2013-14.

In 2012-13 OIC provided agencies with support for self-monitoring. OIC conducted a webinar on completion of the self-assessed electronic audit

## **Training**

During the 2012-13 reporting period, OIC offered training opportunities to foster improvements in the quality of practice in right to information and information privacy to Queensland government agencies in the form of:

- a series of scheduled training sessions in Brisbane covering a range of topics across right to information and information privacy
- a range of individual courses developed and delivered in metropolitan and regional areas in response to agencies' identified needs
- online training courses for staff of agencies required to comply with the RTI Act and IP Act, including staff of bound contracted service providers; and
- webinars.

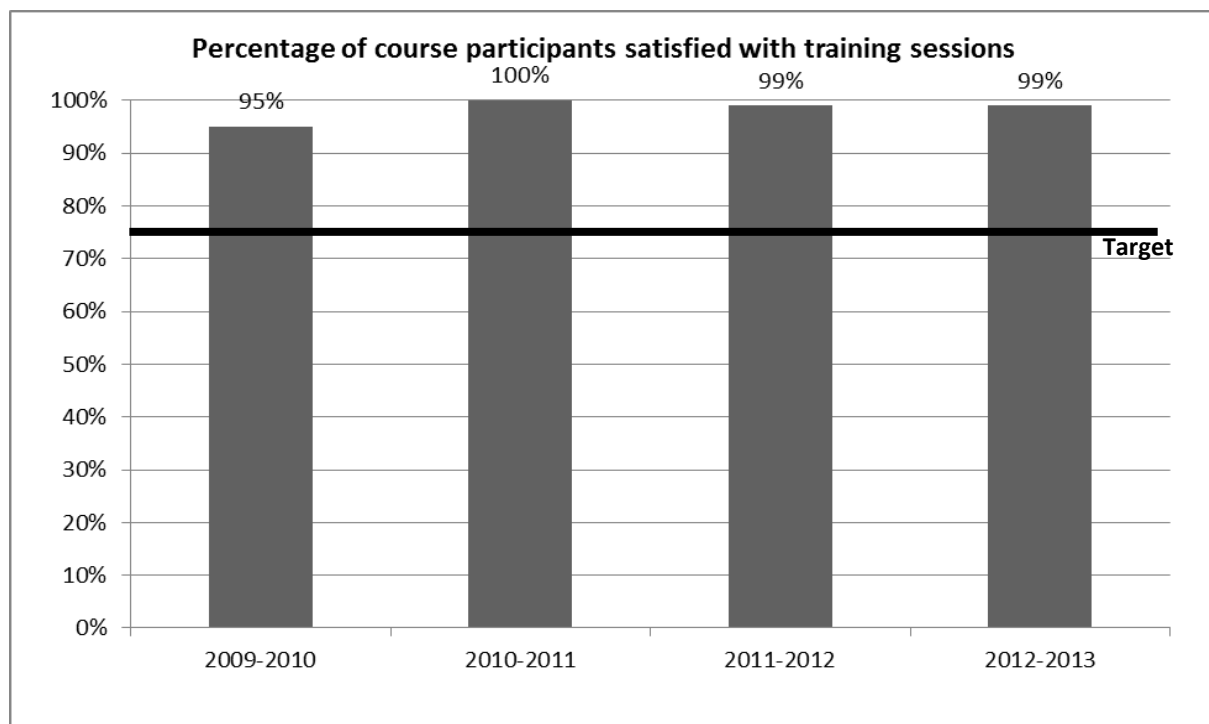
In the reporting period, OIC conducted the following scheduled training:

- fast track negotiation skills training
- access training for decision makers
- general right to information training (online)
- general privacy awareness training (online)
- general privacy awareness training for public health agencies (online)
- general information obligations for Public Service Officers (online)
- dealing with high conflict people training (webinar); and
- self-assessment electronic audit training (webinar).

The requirements of a client group can vary according to their role. In addition to information practitioners, specific training was delivered for law enforcement and compliance officers, health service staff, customer service officers, human resources officers, senior management personnel, students, legal professionals and auditors.

Training offered by OIC is evaluated to facilitate continuous improvement. Course participants provide OIC with feedback including their level of satisfaction with the training session. In the reporting period 99% of participants were satisfied with the training provided. Figure 12 displays OIC annual training satisfaction levels against the service standard target over a four year period.

*Figure 12. Percentage of course participants satisfied with training sessions*



*"Excellent content. Very well explained in simple English."  
(Training participant feedback)*

*"This was the most enjoyable and informative workshop I have been to in years.  
Thank you. Going back to the office much more confident."  
(Training participant feedback)*

The tailored training package for information practitioners called 'Fast Track Negotiation Skills' continued to be delivered in response to demand. This training course recognises that facilitating access to information often involves a series of rapid negotiations with a range of internal and external stakeholders. It also acknowledges that negotiations deal with highly sensitive issues in a time critical and legally complex setting. This two day face-to-face training course continued to receive favourable participant feedback. Examples include:

*"Thank you for providing this training. I would recommend this course to our new RTI officers"*

*(Feedback from training participant)*

*"Fantastic workshop. Very interactive and enjoyable. Informative! Thank you."*

*(Feedback from training participant)*

In 2012-13, OIC built on the knowledge and skills learnt in the 'Fast Track Negotiation Skills' course by introducing advanced training with a webinar on dealing with high conflict people. Strategies taught during the webinar can enable information practitioners to deal with applications more efficiently, in a client-focused manner and with better outcomes for all. Such practices can also reduce demand for formal applications under the legislation, consistent with the objectives of the RTI Act.

The webinar delivery method allowed information practitioners to participate despite their geographical location. A recording of the webinar was also produced and made available on the OIC website. Embracing such web based technologies can provide greater learning opportunities, increase productivity and reduce costs associated with delivering training to an audience dispersed throughout Queensland.

*"Engaging discussion with some great insights. Presenting as a webinar was very time efficient and having the ability to ask questions live was also great."*

*(Feedback from webinar participant)*

*"A very helpful webinar with excellent and knowledgeable presenters."*

*(Feedback from webinar participant)*

In 2011-12 OIC launched the first online training course on the topic of information privacy. The course was available for all public sector employees and interested members of the community. In 2012-13 a further three online courses were developed. OIC's suite of courses now comprises:

- Information Privacy Act
- Right to Information Act
- Public Health Agencies and the Information Privacy Act; and
- Information Obligations for Public Service Officers.

The online training delivery model provides greater access to training opportunities for public sector employees or community members interested in learning more about Queensland's information rights and obligations. The training offers an individual or agency with access to a low-cost, flexible learning pathway for all people across Queensland. During 2012-13, OIC's online courses received 1,973 enrolments.

Agencies across the public sector have been encouraged to incorporate this training into their staff induction process and annual compliance regime.

#### **Outlook for 2013-14**

In the coming year we will:

- continue to develop, promote and share information resources with stakeholders
- systematically review training opportunities to deliver services aimed at promoting better practices across government
- continue to liaise with all stakeholders to identify systematic issues and solutions
- continue to monitor, audit and report on agencies' compliance with the legislation
- provide authoritative advice to improve the effectiveness and efficiency of service delivery across government in particular frontline services
- develop and implement additional online training courses including access training and privacy complaint management in relation to information rights and obligations; and
- encourage agencies to incorporate OIC online training into their staff induction annual compliance training.

## Service four

### Promote the principles and practices of right to information and information privacy in the community and within government

#### Key activity

- Inform and educate agencies and the community about information rights and responsibilities.
- Provide expert advice and assistance to the community and agencies through the enquiries service and the website.

Service standard	Targets	Achievements	
		2011-12	2012-13
No. of awareness activities conducted.	190	557	341
No. of enquiry (written and oral) responses.	2,500	3,459	3,686
No. of website visits.	80,000	64,173	76,450

#### Promoting through the internet

The website is the public face of OIC. It provides stakeholders, including public sector employees and the community, with a range of tools and resources that promote and raise awareness of open and accountable government and explain how the legislation operates. OIC considers that its valuable resources are under-utilised and enhanced and promoted such resources in the 2012-13 year.

OIC continued to enhance the websites usability, accessibility and compliance with Government standards. The website design represents a user centric approach to meet the needs of OIC's key stakeholders and to support OIC's strategic goals. Improved website features in 2012-13 also include enhanced search capability and information architecture. During the reporting period the website received 76,450 visits, a 19% increase from 2011-12.

Social media remains a valuable tool with a dedicated YouTube Channel, Twitter feed and LinkedIn profile. This electronic footprint increases communication opportunities, channels and reach to stakeholders.

#### Promoting through other avenues

During the year, OIC informed agencies and the community about information rights and responsibilities through a range of communication activities including radio interviews, lectures, seminars, articles, publications, submissions and presentations.

OIC made submissions and public comment on a range of issues at the state and commonwealth level including in relation to Open Data and ICT matters, information access and privacy issues, proposed amendments to the RTI and IP Acts and reviews of other legislation such as the *Queensland Civil and Administrative Tribunal Act 2009* and the *Crime and Misconduct Act 2001*.



In 2012, Right to Information Day was marked with the biannual Information Commissioner conference, Creating Open Government (20-22 August 2012), hosted by the NSW Information Commissioner in Sydney. The conference brought together key decision makers, senior executives, leading thinkers and public servants from across a range of government sectors to explore themes of access, engagement and accountability, and what these mean for open government.

The fourth annual Solomon Lecture was presented at the conference by well-regarded guest speaker Professor Geoff Gallop, Director of the Sydney University Graduate School of Government on the theme of 'Is integrated government possible?'

OIC also conducted a number of low cost promotional Right to Information Day activities including the online release of information and resources designed to raise awareness of information rights and responsibilities within the public sector and community.

OIC participated in Privacy Awareness Week (PAW) from 28 April to 4 May 2013, as an active member of the Asian Pacific Privacy Authorities. PAW 2013 focused on the privacy issues surrounding current and emerging technological trends including advances in drones technology, the widespread use of social media, the rapid uptake of smartphones and tablets, and the growth of cloud-based services.

OIC raised awareness among the public sector and community by producing and releasing a range of resources on OIC's website:

- Privacy Health Check online survey
- Top 10 Privacy Myths – Busted information sheet
- Drones information sheet
- Privacy and Mobiles Apps information sheet
- Polly's Follies – Animation; and
- Free online Information Privacy Act training.

In May 2013, OIC hosted the first, quarterly Right to Information and Information Privacy Practitioners' Forum to foster improvements in the quality of practice in information rights and responsibilities. The forum was well attended and provides practitioners with another opportunity to share knowledge and ideas.

As government services are increasingly offered online it is important that people of all ages develop privacy awareness, including skills to protect their personal information. In addition to information and resources already available for the public sector and community, OIC specifically released information and resources targeting secondary school students and seniors.

A teaching module, developed in 2011-12, for Queensland's secondary school students (aged 15–18) was revised and re-launched in 2012-13 across a broader component of the curriculum. The module enabled teachers to discuss with their students what 'privacy' means in today's information age. Through a range of individual, group, and class activities, students explored privacy-related themes specific to social networking, mobile devices and cyber security.

A Seniors Online Security training package was launched as part of Seniors Week (20-28 August 2012). The project is a collaborative effort between the Carindale PCYC, Queensland Police Service, the Australian Government and OIC. Funded by the Australian Federal Government, the project produced five training modules to educate seniors about protecting themselves, their privacy and personal information while using the internet.

## Enquiries Service

OIC Enquiries Service provides critical support to agency officers and the community to improve practices and assist in achieving more efficient and effective processes and outcomes for the community.

Agency staff and members of the community use the Enquiries Service to ask questions about access to information, and the interpretation and application of the RTI and IP Acts. Queries range from requests for copies of the approved access application form to complex legal questions about the meaning and application of particular sections of the legislation. The Enquiries Service is provided by our Information & Assistance officers, who at present consist of experienced former agency decision-makers, privacy and legal officers, and are supported by OIC privacy officers.

Figure 13 sets out the number and nature of enquiries handled by the OIC's Enquiries Service in 2013-14:

*Figure 13. OIC enquiry service*

Type of enquiry	2011-12	2012-13
Telephone	2,823	2,743
Email	562	779
Letter/fax	74	124
<b>Total</b>	<b>3,459</b>	<b>3,646</b>

*"This is such an excellent and speedy response, I am moved to reply to congratulate you. The OIC is really doing its job well. Congratulations"*

*(Feedback from member of the public)*

*"Thank you for your detailed, prompt and informative reply. The information you have provided looks great. I appreciate your time and effort in writing out your reply."*

*(Feedback from member of the public)*

Demand for advice and assistance from the Enquiries Service has continued to exceed expectations. In the fourth year of operation, enquiries from both members of the public and agencies were similar in number to previous years, but the number of written enquiries has risen as they become more complex in nature and require a more considered, detailed response. This may indicate that right to information and information privacy are becoming more established as essential, business-as-usual functions of agencies, and that members of the community are better informed about their information access rights.

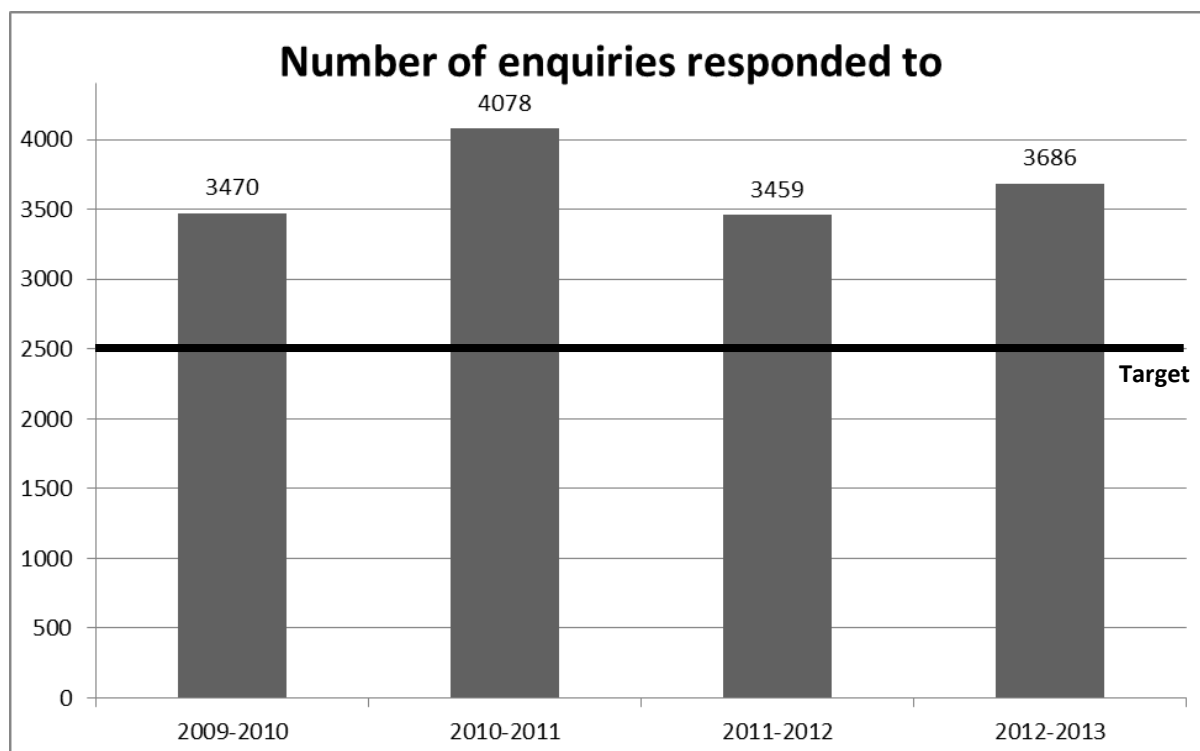
The complexity of enquiries also reflects that while people can now access an extensive suite of information resources on the OIC website, they will continue to require advice and assistance in relation to the application of specific and complex aspects of right to information and information privacy law and practice to particular circumstances that may not have been contemplated in drafting the RTI and IP Acts.

In other cases, it reflects the reality that for a large proportion of the smaller agencies with obligations under the RTI and IP legislation, application handling is far less frequent and it is difficult for those agencies to develop a detailed working knowledge of the legislative process. For those agencies, the Enquiries Service will always be particularly important as a source of guidance through the process and advice.

*“Thank you so much for all your guidance and assistance in helping my colleague and I adjust to the role. We are very grateful.”*

*(Agency decision maker feedback)*

Figure 14. Number of enquiries responded to



During 2012-13, the highest number of enquiries related to right to information, with information privacy (access and amendment) the second-most common. Enquiries relating to privacy complaints were also regularly received.

*“Your advice is very much appreciated you guys provide a fantastic service”*

*(Agency decision maker feedback)*

## **Additional advice and assistance**

The Acting Privacy Commissioner is increasingly consulted by government agencies who seek advice regarding incorporating responsible personal information management into a wide range of government initiatives. The Queensland Government's Open Data scheme is one such initiative with the only restrictions on pro-active release occurring where the release would compromise public safety, security, commercial confidentiality and privacy. OIC continues to be consulted about privacy implications of releases under Open Data and has produced a number of information resources to assist agencies to maximise their releases of data (see page 30). Other initiatives include the movement to adoption of cloud services, the burgeoning uptake of camera surveillance systems and increasing inter-agency cooperative programs.

OIC has also been called upon to provide advice about the Commonwealth's National Identity Security Scheme, academic data-linkage programs and has provided contributions to the privacy law course of Queensland University of Technology and the University of Queensland. Indications are that OIC's input into information management projects will only continue to grow as the Queensland Government continues its commitment to expanding and improving the digital delivery of its services.

### **Outlook for 2013-14**

In the coming year we will:

- continue to promote the principles and practices of the RTI Act and IP Act, with a particular focus on community-orientated resources
- continue to develop and implement products that inform and educate the community, and government, about information rights and responsibilities, focusing on regional areas
- champion right to information and privacy best practice in government
- continue to raise awareness of our role and services throughout the community and government; and
- contribute to the current legislative review of the RTI and IP Acts.

# Financial performance

## Financial statement 2012-13

Financial statements are formal records of an organisation's financial activities and provide an overview of our short and long-term financial condition. The financial statements consist of four major elements: the Statement of Comprehensive Income (see page 44), Statement of Financial Position (see page 45), Statement of Changes in Equity (see page 46) and Statement of Cash Flows (see page 47).

These financial statements cover the Office of the Information Commissioner.

## Financial position

The OIC was established under the repealed *Freedom of Information Act 1992* (Qld) and continues under the *Right to Information Act 2009* (Qld) with grant funding from the Queensland Government provided through the Department of Justice and Attorney-General. Our 2012-13 total appropriation was \$6.054M.

Our strong financial performance reflects our focus on responsible financial and resource management and our efficient approach to processes and procedures, and particularly our service delivery targets.

Each year, we aim to exceed expectations, and improve the quality, cost and timeliness of our services. Our 2012-13 financial result was achieved at a time when the OIC received a high number of access applications.

## Financial outlook

Figure 15. Five year comparison of revenue versus expenses (\$'000)

	2008-09	2009-10	2010-11	2011-12	2012-13
Appropriation	3,783	8,072	5,944	6,023	6,054
Other Revenue	48	161	275	279	157
Employee expenses	2,122	3,411	4,234	4,399	4,528
Supplies and services	720	1,160	1,407	1,138	1,032
Depreciation and amortisation	114	115	165	108	116
Other expenses	19	13	64	17	22
Surplus (Deficit)	856	3,541	473	640	513

Note 1: Increased appropriation for 2008-09, 2009-10 and 2010-11 financial years due to implementation phase for new RTI and IP Acts and changed staffing profile reflecting new functions introduced under the Acts.

Note 2: The 2009-10 revenues and expenses published in the OIC Annual Report 2010-11 were based on Service Delivery Statement estimates. The figures have been updated in this report to reflect revenues and expenses contained in the certified Financial Statements. The 2010-11 figures have been updated to accurately reflect the figures contained in the certified Financial Statements.

**OFFICE OF THE INFORMATION COMMISSIONER  
QUEENSLAND  
FINANCIAL STATEMENTS**

**for the financial year ended 30 June 2013**

## Office of the Information Commissioner Financial Statements 2012-13

### Contents

	Page No
Statement of Comprehensive Income	2
Statement of Financial Position	3
Statement of Changes in Equity	4
Statement of Cash Flows	5
Notes to and Forming Part of the Financial Statements	7
Management Certificate	28

### **General Information**

These financial statements cover the Office of the Information Commissioner.

The Office of the Information Commissioner was established under the repealed *Freedom of Information Act 1992* and continues under the *Right to Information Act 2009*.

The Office is included in the portfolio of the Attorney-General and Minister for Justice under Section 133 of the *Right to Information Act 2009*.

The principal place of business of the Office is:

Level 8  
160 Mary Street  
BRISBANE QLD 4000

A description of the nature of the Office's operations and its principal activities is included in the notes to the financial statements.

For information in relation to the Office's financial statements, please call the Manager, Corporate and Executive Services on 07 3405 1111, email [administration@oic.qld.gov.au](mailto:administration@oic.qld.gov.au) or visit the Office internet site [www.oic.qld.gov.au](http://www.oic.qld.gov.au).

**OFFICE OF THE INFORMATION COMMISSIONER**  
**Statement of Comprehensive Income**  
**for the year ended 30 June 2013**

	Notes	2013 \$'000	2012 \$'000
<b>Income from Continuing Operations</b>			
Revenue			
Grants and other contributions	2	6,054	6,023
Other revenue	3	157	279
<b>Total Income from Continuing Operations</b>		<b>6,211</b>	<b>6,302</b>
<b>Expenses from Continuing Operations</b>			
Employee expenses	4	4,528	4,399
Supplies and services	6	1,032	1,138
Depreciation	7	116	108
Other expenses	8	22	17
<b>Total Expenses from Continuing Operations</b>		<b>5,698</b>	<b>5,662</b>
<b>Operating Result from Continuing Operations</b>		<b>513</b>	<b>640</b>
<b>Total Other Comprehensive Income</b>		<b>-</b>	<b>-</b>
<b>Total Comprehensive Income</b>		<b>513</b>	<b>640</b>

*The accompanying notes form part of these statements.*



**OFFICE OF THE INFORMATION COMMISSIONER**  
**Statement of Financial Position**  
**as at 30 June 2013**

	Notes	2013 \$'000	2012 \$'000
<b>Current Assets</b>			
Cash and cash equivalents	9	1,810	5,988
Receivables	10	25	45
Other	11	26	27
<b>Total Current Assets</b>		<b>1,861</b>	<b>6,060</b>
<b>Non Current Assets</b>			
Plant and equipment	12	496	603
<b>Total Non Current Assets</b>		<b>496</b>	<b>603</b>
<b>Total Assets</b>		<b>2,357</b>	<b>6,663</b>
<b>Current Liabilities</b>			
Payables	13	60	96
Accrued employee benefits	14	292	314
<b>Total Current Liabilities</b>		<b>352</b>	<b>410</b>
<b>Non Current Liabilities</b>			
Accrued employee benefits	14	27	65
<b>Total Non Current Liabilities</b>		<b>27</b>	<b>65</b>
<b>Total Liabilities</b>		<b>379</b>	<b>475</b>
<b>Net Assets</b>		<b>1,978</b>	<b>6,188</b>
<b>Equity</b>			
Contributed equity		-	-
Retained surpluses		1,978	6,188
<b>Total Equity</b>		<b>1,978</b>	<b>6,188</b>

*The accompanying notes form part of these statements.*

**OFFICE OF THE INFORMATION COMMISSIONER**

**Statement of Changes in Equity**

**for the year ended 30 June 2013**

	Accumulated Surpluses		Contributed Equity		TOTAL	
	2013 S'000	2012 S'000	2013 S'000	2012 S'000	2013 S'000	2012 S'000
<b>Balance as at 1 July</b>	<b>6,188</b>	<b>5,563</b>	<b>-</b>	<b>-</b>	<b>6,188</b>	<b>5,563</b>
Adjustment to Opening Balance	-	-	-	-	-	-
Operating Result from Continuing Operations	513	640	-	-	513	640
<i>Transactions with Owners as Owners:</i>						
- Net leave liabilities transferred to/from other agencies	38	(15)	-	-	38	(15)
- Equity Withdrawal	(4,761)	-	-	-	(4,761)	-
<b>Balance as at 30 June</b>	<b>1,978</b>	<b>6,188</b>	<b>-</b>	<b>-</b>	<b>1,978</b>	<b>6,188</b>

*The accompanying notes form part of these statements.*

**OFFICE OF THE INFORMATION COMMISSIONER**  
**Statement of Cash Flows**  
**for the year ended 30 June 2013**

	Notes	2013 \$'000	2012 \$'000
<b>Cash flows from operating activities</b>			
<i>Inflows:</i>			
Grants and other contributions		6,054	6,023
GST input tax credits from ATO		129	135
GST collected from customers		1	(4)
Other		157	280
<i>Outflows:</i>			
Employee expenses		(4,600)	(4,421)
Supplies and services		(570)	(728)
GST remitted to ATO		(1)	(2)
GST paid to suppliers		(117)	(129)
Other		(457)	(427)
<b>Net cash provided by (used in) operating activities</b>	15	<u>596</u>	<u>727</u>
<b>Cash flows from investing activities</b>			
<i>Outflows:</i>			
Payments for plant and equipment		(13)	(37)
<b>Cash flows from financing activities</b>			
<i>Outflows:</i>			
Equity withdrawal		(4,761)	
<b>Net cash provided by (used in) investing activities</b>		<u>(4,774)</u>	<u>(37)</u>
<b>Net increase (decrease) in cash and cash equivalents</b>		(4,178)	690
<b>Cash and cash equivalents at beginning of financial year</b>		5,988	5,298
<b>Cash and cash equivalents at end of financial year</b>	9	<u>1,810</u>	<u>5,988</u>

*The accompanying notes form part of these statements.*

**OFFICE OF THE INFORMATION COMMISSIONER**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2012-13**

---

	<b>Objectives and Principal Activities of the Office of the Information Commissioner</b>
Note 1	Summary of Significant Accounting Policies
Note 2	Grants and Other Contributions
Note 3	Other Revenues
Note 4	Employee Expenses
Note 5	Key Executive Management Personnel and Remuneration
Note 6	Supplies and Services
Note 7	Depreciation
Note 8	Other Expenses
Note 9	Cash and Cash Equivalents
Note 10	Receivables
Note 11	Other Current Assets
Note 12	Plant and Equipment
Note 13	Payables
Note 14	Accrued Employee Benefits
Note 15	Reconciliation of Operating Surplus to Net Cash from Operating Activities
Note 16	Commitments for Expenditure
Note 17	Contingencies
Note 18	Financial Instruments
Note 19	Events Occurring after Balance Date

## OBJECTIVES AND PRINCIPAL ACTIVITIES OF THE OFFICE OF THE INFORMATION COMMISSIONER

The vision of the Office of the Information Commissioner is for an informed Queensland that values and respects information rights and responsibilities.

The Office of the Information Commissioner has four goals:

1. An independent, timely and fair review of decisions made under the *Right to Information Act 2009* and *Information Privacy Act 2009*.
2. An independent and timely privacy complaint resolution service.
3. Foster improvements in the quality of practice in Right to Information and Information Privacy in Queensland Government agencies.
4. Promote the principles and practices of Right to Information and Information Privacy in the community and within Government.

The Office is a statutory body for the *Financial Accountability Act 2009*. The role of the Office is to do all things necessary and convenient to be done in connection with the performance of the Commissioner's functions under the *Right to Information Act 2009* and *Information Privacy Act 2009*. This includes the functions of:

- External review of agency decisions on information access applications;
- Reviewing and reporting on agencies' performance and personal information handling practices;
- Conciliating privacy complaints and decisions on applications of waiver of the privacy principles;
- Promoting awareness of right to information and privacy; and
- Undertaking research and commenting on legislation and administrative changes to improve practice.

## 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

### a) Statement of Compliance

The Office of the Information Commissioner has prepared these financial statements in compliance with section 43 of the *Financial and Performance Management Standard 2009*.

These financial statements are general purpose financial statements, and have been prepared on an accrual basis in accordance with Australian Accounting Standards and Interpretations. In addition, the financial statements comply with Treasury's Minimum Reporting Requirements for the year ending 30 June 2013, and other authoritative pronouncements.

With respect to compliance with Australian Accounting Standards and Interpretations, the Office of the Information Commissioner has applied those requirements applicable to not-for-profit entities, as the Office is a not-for-profit entity. Except where stated, the historical cost convention is used.

### b) The Reporting Entity

The Office of the Information Commissioner was established under the repealed *Freedom of Information Act 1992* and continues under the *Right to Information Act 2009*. Grant funding from the Queensland Government is provided to the Office through the Department of Justice and Attorney-General.

**b) The Reporting Entity (continued)**

The financial statements include the value of all revenues, expenses, assets, liabilities and equity of the Office of the Information Commissioner. The Office of the Information Commissioner does not control any entities.

**c) User Charges and Fees**

User charges and fees controlled by the Office of the Information Commissioner are recognised as revenues when the revenue has been earned and can be measured reliably with a sufficient degree of certainty. This involves either invoicing for related goods/services and/or the recognition of accrued revenue. User charges and fees are controlled by the Office of the Information Commissioner where they can be deployed for the achievement of its objectives.

**d) Grants and Contributions**

Grants that are non-reciprocal in nature are recognised as revenue in the year in which the Office of the Information Commissioner obtains control over them. Where grants are received that are reciprocal in nature, revenue is recognised over the term of the funding arrangements.

**e) Cash and Cash Equivalents**

For the purpose of the Statement of Financial Position and the Statement of Cash Flows, cash assets include all cash and cheques receipted but not banked at 30 June as well as deposits at call with financial institutions.

**f) Special Payments**

Special payments include ex gratia expenditure and other expenditure that the statutory body is not contractually or legally obligated to make to other parties. In compliance with the Financial and Performance Management Standard 2009, the statutory body maintains a register setting out details of all special payments greater than \$5,000.

The total of all special payments (including those of \$5,000 or less) is disclosed separately within Other Expenses (Note 8). However, descriptions of the nature of special payments are only provided for special payments greater than \$5,000.

There were no special payments as at 30 June 2013.

**g) Receivables**

Interest receivable is recognised as at 30 June for interest revenue earned but not received for the month of June 2013 (refer to note 10).

The collectability of receivables is assessed periodically with provision being made for impairment. There were no bad debts as at 30 June 2013.

**h) Acquisitions of Assets**

Actual cost is used for the initial recording of all non-current physical asset acquisitions. Cost is determined as the value given as consideration plus costs incidental to the acquisition, including all other costs incurred in getting the assets ready for use. However, any training costs are expensed as incurred.

Where assets are received free of charge from another Queensland department (whether as a result of a machinery-of-Government or other involuntary transfer), the acquisition cost is recognised as the gross carrying amount in the books of the transferor immediately prior to the transfer together with any accumulated depreciation.

Assets acquired at no cost or for nominal consideration, other than from an involuntary transfer from another Queensland department, are recognised at their fair value at date of acquisition in accordance with AASB 116 *Property, Plant and Equipment*.

**i) Plant and Equipment**

Items of plant and equipment with a cost or other value equal to or in excess of the following thresholds are recognised for financial reporting purposes in the year of acquisition.

Plant and equipment	\$5,000
---------------------	---------

Items with a lesser value are expensed in the year of acquisition.

**j) Revaluations of Non-Current Physical Assets**

Computer equipment, office equipment and leasehold improvements are measured at cost in accordance with Queensland Treasury's *Non-Current Asset Policies for the Queensland Public Sector*.

The Office of the Information Commissioner has no assets measured at fair value.

**k) Depreciation of Plant and Equipment**

Depreciation of plant and equipment is calculated on a straight-line basis so as to allocate the net cost or revalued amount of each asset, less its estimated residual value, progressively over its estimated useful life to the Office of the Information Commissioner.

Where assets have separately identifiable components that are subject to regular replacement, these components are assigned useful lives distinct from the assets which they relate and are depreciated accordingly.

Any expenditure that increases the originally assessed capacity or service potential of an asset is capitalised and the new depreciable amount is depreciated over the remaining useful life of the asset.

The depreciable amount of leasehold improvements is allocated progressively over the unexpired period of the lease. The unexpired period of a lease include any option period where exercise of the option is probable.

For each class of depreciable asset the following depreciation rates are used:

Class	Rate %
Plant and equipment	13 – 20%

**l) Impairment of Non-Current Assets**

All non-current physical assets are assessed for indicators of impairment on an annual basis. If an indicator of possible impairment exists, the Office of the Information Commissioner determines the assets recoverable amount. Any amount by which the asset's carrying amount exceeds the recoverable amount is recorded as an impairment loss.

The non-current physical assets of the Office of the Information Commissioner showed no sign of impairment during this financial year.

**m) Leases**

A distinction is made in the financial statements between finance leases that effectively transfer from the lessor to the lessee substantially all risks and benefits incidental to ownership, and operating leases, under which the lessor retains substantially all risks and benefits.

Operating lease payments are representative of the pattern of benefits derived from the leased assets and are expensed in the periods in which they are incurred.

The Office of the Information Commissioner has no finance leases.

**n) Payables**

Trade creditors are recognised upon receipt of the goods or services ordered and are measured at the agreed purchase/contract price, gross of applicable trade and other discounts. Amounts owing are unsecured and are generally settled within 30 days.

**o) Financial Instruments**

*Recognition*

Financial assets and financial liabilities are recognised in the Statement of Financial Position when the Office becomes party to the contractual provisions of the financial instrument.

*Classification*

Financial instruments are classified and measured as follows:

- o Cash and cash equivalents – held at fair value through profit and loss
- o Receivables – held at amortised cost
- o Payables – held at amortised cost

The Office of the Information Commissioner does not enter into transactions for speculative purpose, or for hedging. Apart from cash and cash equivalents, the Office of the Information Commissioner holds no financial assets classified at fair value through profit and loss.

All other disclosures relating to the measurement and financial risk management of financial instruments held by the Office of the Information Commissioner are included in Note 18.



**p) Employee Benefits**

Employer superannuation contributions and long service leave levies are regarded as employee benefits.

Payroll tax and workers' compensation insurance are a consequence of employing employees, but are not counted in an employee's total remuneration package. They are not employee benefits and are recognised separately as employee related expenses.

*Wages, Salaries, Annual Leave and Sick Leave*

Wages and salaries due but unpaid at reporting date are recognised in the Statement of Financial Position at the current salary rates.

For unpaid entitlements expected to be paid within 12 months, the liabilities are recognised at their undiscounted values. Entitlements not expected to be paid within 12 months are classified as non-current liabilities and recognised at their present value, calculated using yields on Fixed Rate Commonwealth Government bonds of similar maturity, after projecting the remuneration rates expected to apply at the time of likely settlement.

Prior history indicates that on average, sick leave taken each reporting period is less than the entitlement accrued. This is expected to recur in future periods. Accordingly, it is unlikely that existing accumulated entitlements will be used by employees and no liability for unused sick leave entitlements is recognised.

As sick leave is non-vesting, an expense is recognised for this leave as it is taken.

*Long Service Leave*

Under the Queensland Government's long service leave scheme, a levy is made on the Office of the Information Commissioner to cover this cost. Levies are expensed in the period in which they are payable. Amounts paid to employees for long service leave are claimed from the scheme quarterly in arrears.

No provision for long service leave is recognised in the financial statements, the liability being held on a whole-of-Government basis and reported in the financial statements pursuant to *AASB 1049 Whole of Government and General Government Sector Financial Reporting*.

*Superannuation*

Employer superannuation contributions are paid to QSuper, the superannuation scheme for Queensland Government employees, at rates determined by the Treasurer on the advice of the State Actuary. Contributions are expensed in the period in which they are paid or payable. The Office of the Information Commissioner's obligation is limited to its contribution to QSuper.

The QSuper scheme had defined benefit and defined contribution categories. The liability for defined benefit is held on a whole-of-government basis and reported in those financial statements pursuant to *AASB 1049 Whole of Government and General Government Sector Financial Reporting*.

*Key Executive Management Personnel and Remuneration*

Key executive management personnel and remuneration disclosures are made in accordance with section 5 of the Financial Reporting Requirements for Queensland Government Agencies issued by Queensland Treasury. Refer to note 5 for the disclosures on key executive management personnel and remuneration.

**q) Insurance**

The Office of the Information Commissioner's non-current physical assets and other risks are insured through the Queensland Government Insurance Fund (QGIF), premiums being paid on a risk assessment basis. In addition, the Office of the Information Commissioner pays premiums to WorkCover Queensland in respect of its obligations for employee compensation.

**r) Taxation**

The Office of the Information Commissioner is a State body as defined under the *Income Tax Assessment Act 1936* and is exempt from Commonwealth taxation with the exception of Fringe Benefits Tax (FBT) and Goods and Services Tax (GST). FBT and GST are the only taxes accounted for by the Office of the Information Commissioner. GST credits receivable from, and GST payable to the ATO, are recognised (refer to note 10).

**s) Issuance of Financial Statements**

The financial statements are authorised for issue by the Information Commissioner and Manager of Corporate and Executive Services at the date of signing the Management Certificate.

**t) Accounting Estimates and Judgements**

The preparation of financial statements necessarily requires the determination and use of certain critical accounting estimates, assumptions, and management judgments that have potential to cause a material adjustment to the carrying amounts of assets and liabilities within the next financial year. Such estimates, judgments and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimates are revised and in future periods as relevant.

The Office of the Information Commissioner has made no judgments or assessments that may cause a material adjustment to the carrying amounts of assets and liabilities within the next reporting period.

**u) Rounding and Comparatives**

Amounts included in the financial statements are in Australian dollars and have been rounded to the nearest \$1,000 or, where that amount is \$500 or less, to zero, unless disclosure of the full amount is specifically required.

Comparative information has been restated where necessary to be consistent with disclosures in the current reporting period.

**v) New and Revised Accounting Standards**

The Office of the Information Commissioner did not voluntarily change any of its accounting policies during 2012-13. Australian accounting standard changes applicable for the first time for 2012-13 have had minimal effect on the Office of the Information Commissioner's financial statements, as explained below.

v) New and Revised Accounting Standards (continued)

AASB 2011-9 *Amendments to Australian Accounting Standards – Presentation of Items of Other Comprehensive Income* [AASB 1, 5, 7, 101, 112, 120, 121, 132, 133, 134, 1039 & 1049] became effective from reporting periods beginning on or after 1 July 2012. The only impact for the Office of the Information Commissioner is that, in the Statement of Comprehensive Income, items within the 'Other Comprehensive Income' section are now presented in different subsections, according to whether or not they are subsequently classifiable to the operating result. Whether subsequent reclassification is possible depends on the requirements or criteria in the accounting standard/interpretation that relates to the item concerned.

The Office of the Information Commissioner is not permitted to early adopt a new or amended accounting standard ahead of the specified commencement date unless approval is obtained from Queensland Treasury and Trade. Consequently, the Office of the Information Commissioner has not applied any Australian Accounting Standards and Interpretations that have been issued but are not yet effective. The Office of the Information Commissioner applies standards and interpretations in accordance with their respective commencement dates.

At the date of authorisation of the financial report, the expected impacts of new or amended Australian Accounting Standards with future commencement dates are as set out below.

A revised version of AASB 119 Employee Benefits applies from reporting periods beginning on or after 1 January 2013. The revised AASB 119 is generally to be applied retrospectively. Given the Office of the Information Commissioner's circumstances, the only implications for the statutory body are that the revised standard clarifies the concept of 'termination benefits', and the recognition criteria for liabilities for termination benefits will be different. If termination benefits meet the timeframe criterion for 'short-term employee benefits', they will be measured according to the AASB 119 requirements for 'short-term employee benefits'. Otherwise, termination benefits will need to be measured according to the AASB 119 requirements for 'other long-term employee benefits'. Under the revised standard, the recognition and measurement of employer obligations for 'other long-term employee benefits' will need to be accounted for according to most of the requirements for defined benefit plans.

The revised AASB 119 includes changed criteria for accounting for employee benefits as 'short-term employee benefits'. However, as the Office of the Information Commissioner is a member of the Queensland Government central schemes for long service leave, this change in criteria has no impact on the statutory body's financial statements as the employer liability is held by the central scheme. The revised AASB 119 also includes changed requirements for the measurement of employer liabilities/assets arising from defined benefit plans, and the measurement and presentation of changes in such liabilities/assets.

The Office of the Information Commissioner makes employer superannuation contributions only to the QSuper defined benefit plan, and the corresponding QSuper employer benefit obligation is held by the State. Therefore, those changes to AASB 119 will have no impact on the statutory body.

AASB 1053 *Application of Tiers of Australian Accounting Standards* applies as from reporting periods beginning on or after 1 July 2013. AASB 1053 establishes a differential reporting framework for those entities that prepare general purpose financial statements, consisting of two Tiers of reporting requirements – Australian Accounting Standards (commonly referred to as 'Tier 1'), and Australian Accounting Standards – Reduced Disclosure Requirements (commonly referred to as 'Tier 2'). Tier 1 requirements comprise the full range of AASB recognition, measurement, presentation and disclosure requirements that are currently applicable to reporting entities in Australia. The only difference between the Tier 1 and Tier 2 requirements is that Tier 2 requires fewer disclosures than Tier 1.

v) New and Revised Accounting Standards (continued)

Pursuant to AASB 1053, public sector entities like the Office of the Information Commissioner may adopt Tier 2 requirements for their general purpose financial statements. However, AASB 1053 acknowledges the power of a regulator to require application of the Tier 1 requirements. In the case of the Office of the Information Commissioner, Queensland Treasury and Trade is the regulator. Queensland Treasury and Trade has advised that its policy decision is to require adoption of Tier 1 reporting by all Queensland Government departments and statutory bodies (including the Office of the Information Commissioner) that are consolidated into the whole-of-Government financial statements. Therefore, the release of AASB 1053 and associated amending standards will have no impact on the Office of the Information Commissioner.

AASB 1055 Budgetary Reporting applies from reporting periods beginning on or after 1 July 2014. From that date, based on what is currently published in the Queensland Government's Budgetary Service Delivery Statements, this means the Office of the Information Commissioner will need to include in these financial statements the original budgeted statements for the Statement of Comprehensive Income, Statement of Financial Position, Statement of Changes in Equity, and Statement of Cash Flows. These budgeted statements will need to be presented consistently with the corresponding (actuals) financial statements, and will be accompanied by explanations of major variances between the actual amounts and the corresponding budgeted financial statement.

In addition, based on what is currently published in the Queensland Government's Service Delivery Statements, the Office of the Information Commissioner will need to include in these financial statements the original budgeted information for major classes of administered income and expenses, and major classes of administered assets and liabilities. This budgeted information will need to be presented consistently with the corresponding (actuals) administered information, and will be accompanied by explanations of major variances between the actual amounts and the corresponding budgeted financial information.

AASB 9 Financial Instruments (December 2010) and AASB 2010-7 Amendments to Australian Accounting Standards arising from AASB 9 (December 2010) [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 120, 121, 127, 128, 131, 132, 136, 137, 139, 1023 & 1038 and Interpretations 2, 5, 10, 12, 19 & 127] become effective from reporting periods beginning on or after 1 January 2015. The main impacts of these standards on the Office of the Information Commissioner are that they will change the requirements for the classification, measurement and disclosures associated with the statutory body's financial assets. Under the new requirements, financial assets will be more simply classified according to whether they are measured at amortised cost or fair value. Pursuant to AASB 9, financial assets can only be measured at amortised cost if two conditions are met. One of these conditions is that the asset must be held within a business model whose objective is to hold assets in order to collect contractual cash flows. The other condition is that the contractual terms of the asset give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

The Office of the Information Commissioner has commenced reviewing the measurement of its financial assets against the new AASB 9 classification and measurement requirements. However, as the classification of financial assets at the date of initial application of AASB 9 will depend on the facts and circumstances existing at that date, the statutory body's conclusions will not be confirmed until closer to that time. At this stage, and assuming no change in the types of transactions the Office of the Information Commissioner enters into, it is not expected that any of the statutory body's financial assets will meet the criteria in AASB 9 to be measured at amortised cost. Therefore, as from the 2015-16 financial statements, all of the statutory body's financial assets are expected to be required to be measured at fair value, and classified accordingly. The same classification will be used for net gains/losses recognised in the Statement of Comprehensive Income in respect of those financial assets. In the case of the statutory body's current receivables, as they are short-term in nature, the carrying amount is expected to be a reasonable approximation of fair value.

v) New and Revised Accounting Standards (continued)

The Office of the Information Commissioner will not need to restate comparative figures for financial instruments on adopting AASB 9 as from 2015-16. However, changed disclosure requirements will apply from that time. A number of one-off disclosures will be required in the 2015-16 financial statements to explain the impact of adopting AASB 9.

All other Australian accounting standards and interpretations with future commencement dates are either not applicable to the Office of the Information Commissioner's activities, or have no material impact on the statutory body.

OFFICE OF THE INFORMATION COMMISSIONER  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2012-13

	2013 S'000	2012 S'000
<b>2. GRANTS AND OTHER CONTRIBUTIONS</b>		
Grants <sup>#</sup>	6,054	6,663
Less funds retained for equity withdrawal	-	(640)
<b>Total</b>	<b>6,054</b>	<b>6,023</b>
<sup>#</sup> Non-reciprocal grant is received from Department of Justice and Attorney-General and it has been recognised in its entirety upon receipt.		
<b>3. OTHER REVENUES</b>		
Interest	126	276
Conferences/Functions	-	3
Other	31	-
<b>Total</b>	<b>157</b>	<b>279</b>
<b>4. EMPLOYEE EXPENSES</b>		
<b>Employee Benefits</b>		
Wages and salaries	3,367	3,230
Employer superannuation contributions <sup>*</sup>	432	429
Annual leave expense <sup>*</sup>	323	331
Long service leave levy <sup>*</sup>	76	66
Other employee benefits	76	56
<b>Employee Related Expenses</b>		
Payroll Tax <sup>*</sup>	197	192
Staff professional development	21	39
Workers' compensation premium <sup>*</sup>	20	17
Fringe Benefit Tax	14	28
Other employee related expenses	2	11
<b>Total</b>	<b>4,528</b>	<b>4,399</b>

<sup>\*</sup> Refer to Note 1(p).

The number of employees including both full-time and part-time that are measured on a full-time equivalent basis is:

Number of Employees:	33.0	34.1
----------------------	------	------



# 5. KEY EXECUTIVE MANAGEMENT PERSONNEL AND REMUNERATION

## (a) Key Executive Management Personnel

The following details for key executive management personnel include those positions that had authority and responsibility for planning, directing and controlling the activities of the agency during 2012-13. Further information on these positions can be found in the body of the Annual Report under the section relating to Executive Management.

Position	Responsibilities	Current Incumbents	
		Contract classification and appointment authority	Date appointed to position (Date resigned from position)
Information Commissioner	s 128, 129, 130, 131, 132 The Information Commissioner role is to deliver an independent, timely and fair review of decisions made under the Right to Information Act 2009 and the Information Privacy Act 2009; an independent and timely privacy complaint resolution service; foster improvements in the quality of practice in Right to Information and Information Privacy in Queensland Government agencies; and promote the principles and practices of Right to Information and Information Privacy in the community and within Government.	s134 Right to Information Act 2009; SES 3.5 equivalent; appointed by the Governor in Council	Appointed 10/8/2009 & 3 year contract ended 9/8/2012
A/Information Commissioner	s 128, 129, 130, 131, 132 The Information Commissioner role is to deliver an independent, timely and fair review of decisions made under the Right to Information Act 2009 and the Information Privacy Act 2009; an independent and timely privacy complaint resolution service; foster improvements in the quality of practice in Right to Information and Information Privacy in Queensland Government agencies; and promote the principles and practices of Right to Information and Information Privacy in the community and within Government.	s134 Right to Information Act 2009; SES 3.5 equivalent; appointed by the Governor in Council	10/8/2012 to 8/2/2013
A/Information Commissioner	s 128, 129, 130, 131, 132 The Information Commissioner role is to deliver an independent, timely and fair review of decisions made under the Right to Information Act 2009 and the Information Privacy Act 2009; an independent and timely privacy complaint resolution service; foster improvements in the quality of practice in Right to Information and Information Privacy in Queensland Government agencies; and promote the principles and practices of Right to Information and Information Privacy in the community and within Government.	s134 Right to Information Act 2009; SES 3.5 equivalent; appointed by the Governor in Council	11/2/2013 to current
A/Privacy Commissioner	s142 (1) The Privacy Commissioner's role is that of a deputy to the Information Commissioner, with particular responsibility for matters relating to the Information Commissioner's functions under this Act.	s144 Information Privacy Act 2009; SES 2.2 equivalent; appointed by the Governor in Council	3/11/2011
Right To Information (RTI) Commissioner	s148 (1) The RTI Commissioner's role is that of a deputy to the Information Commissioner, with particular responsibility for matters relating to the Information Commissioner's functions under this Act.	s150 Right to Information Act 2009; SES 2.2 equivalent; appointed by the Governor in Council	4/10/2010



OFFICE OF THE INFORMATION COMMISSIONER  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2012-13

5. KEY EXECUTIVE MANAGEMENT PERSONNEL AND REMUNERATION (CONTINUED)

(a) Key Executive Management Personnel (continued)

Position	Responsibilities	Current Incumbents	
		Contract classification and appointment authority	Date appointed to position (Date resigned from position)
RTI Commissioner	s148 (1) The RTI Commissioner's role is that of a deputy to the Information Commissioner, with particular responsibility for matters relating to the Information Commissioner's functions under this Act.	s150 Right to Information Act 2009; SES 2.2 equivalent; appointed by the Governor in Council	4/10/2010
Manager, Corporate and Executive Services (MCES)	To provide expert, strategic advice to the Information Commissioner, specifically in relation to corporate governance, performance monitoring and reporting; and management of agreements for corporate services for the Office, Financial and human resource delegations as determined by the Information Commissioner.	Appointed under Public Service Act; AO8	11/05/2011
First Assistant Information Commissioner	The role of the First Assistant Information Commissioner is to lead, develop, influence and implement strategic corporate governance priorities for the Office of the Information Commissioner. Lead the improvement of public sector right to information administration in Queensland. Lead and manage the delivery of services performing functions relating to the Information Commissioner's role as champion promoting awareness and compliance with the right to information and information privacy legislation.	Appointed under Public Service Act; SO	16/11/2006





**5. KEY EXECUTIVE MANAGEMENT PERSONNEL AND REMUNERATION (CONTINUED)**

**(b) Remuneration**

The remuneration and terms of employment for statutory office holders in key executive management positions are set by Governor in Council and are equivalent to those set by the Queensland Public Service Commission.

Remuneration policy for the agency's key executive management personnel in non-statutory office holder positions is set by the Queensland Public Service Commission as provided for under the Public Service Act 2008.

For the 2012-13 year, remuneration of key executive management personnel increased by 2.2% in accordance with government policy.

Remuneration packages for key executive management personnel comprise the following components:-

- o Short term employee benefits which include:
  - Base - consisting of base salary, allowances and leave entitlements expensed for the entire year or for that part of the year during which the employee occupied the specific position. Amounts disclosed equal the amount expensed in the Statement of Comprehensive Income.
  - Non-monetary benefits - consisting of provision of vehicle together with fringe benefits tax applicable to the benefit.
- o Long term employee benefits include long service leave accrued.
- o Post employee benefits include superannuation contributions.
- o Redundancy payments are not provided for within individual contracts of employment. Contracts of employment provide only for notice periods or payment in lieu of notice on termination, regardless of the reason for termination.

Total fixed remuneration is calculated on a 'total cost' basis and includes the base and non-monetary benefits, long term employee benefits and post employment benefits. No key executive management personnel receive performance incentive payments in the Office of the Information Commissioner.

OFFICE OF THE INFORMATION COMMISSIONER  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2012-13

2012-13

Position	Short Term Employee Benefits		Long Term Employee Benefits	Post Employment Benefits	Total
	Base	Non-Monetary			
	\$'000	\$'000	\$'000	\$'000	\$'000
Information Commissioner	58	9	30	3	100
A/Information Commissioner & RTI Commissioner	169	10	3	16	198
A/Information Commissioner & RTI Commissioner	165	10	3	16	194
A/Privacy Commissioner	150	10	6	14	180
Manager, Corporate and Executive Services (MCES)	110	-	3	14	127
First Assistant Information Commissioner	111	4	3	14	132
<b>Total Remuneration</b>	<b>763</b>	<b>43</b>	<b>48</b>	<b>77</b>	<b>931</b>

2011-12

Position	Short Term Employee Benefits		Long Term Employee Benefits	Post Employment Benefits	Total
	Base	Non-Monetary			
	\$'000	\$'000	\$'000	\$'000	\$'000
Information Commissioner	184	33	5	23	245
Privacy Commissioner	38	4	(2)	4	44
A/Privacy Commissioner	126	8	3	14	151
RTI Commissioner	127	10	3	13	153
RTI Commissioner	56	10	2	6	74
Manager, Corporate and Executive Services (MCES)	107	-	3	13	123
First Assistant Information Commissioner	81	-	-	10	91
<b>Total Remuneration</b>	<b>719</b>	<b>65</b>	<b>14</b>	<b>83</b>	<b>881</b>



**OFFICE OF THE INFORMATION COMMISSIONER**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2012-13**

	<b>2013</b>	<b>2012</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>6. SUPPLIES AND SERVICES</b>		
Operating lease rentals	438	456
Contractors	183	147
Corporate services	158	161
Communications and utilities	88	99
Minor equipments & office maintenance	59	66
Functions	18	96
Consumables	11	12
Travel	7	22
Other	70	79
<b>Total</b>	<b><u>1,032</u></b>	<b><u>1,138</u></b>
<b>7. DEPRECIATION</b>		
Depreciation was incurred in respect of:		
Leasehold improvements	102	102
Office equipment	10	2
Computer equipment	4	4
<b>Total</b>	<b><u>116</u></b>	<b><u>108</u></b>
<b>8. OTHER EXPENSES</b>		
External audit fees *	15	14
Losses from disposal of plant & equipment	3	-
Insurance premiums - QGIF	4	3
<b>Total</b>	<b><u>22</u></b>	<b><u>17</u></b>

\* Total external audit fee relating to the 2012-13 financial year are estimated to be \$15,200 (2011-12: \$14,500). There are no non-audit services included in this amount.

	2013 \$'000	2012 \$'000
<b>9. CASH AND CASH EQUIVALENTS</b>		
Cash at bank *	1,810	5,988
<b>Total</b>	<b>1,810</b>	<b>5,988</b>
* Unspent cash reserves of \$4.761M was returned to Queensland Treasury in 2012-13.		
<b>10. RECEIVABLES</b>		
GST receivable	8	19
GST payable	-	-
Long service leave reimbursements	10	8
Interest receivable	7	18
<b>Total</b>	<b>25</b>	<b>45</b>
<b>11. OTHER CURRENT ASSETS</b>		
Prepayments	26	27
<b>Total</b>	<b>26</b>	<b>27</b>
<b>12. PLANT AND EQUIPMENT</b>		
Plant and equipment *	812	837
Less accumulated depreciation	(316)	(234)
<b>Total</b>	<b>496</b>	<b>603</b>

\* Total plant and equipment includes Leasehold Improvements with a net value of \$450,000.

Plant and Equipment are valued at cost in accordance with Queensland Treasury's "Non-Current Asset Policies for the Queensland Public Sector".

#### Plant and Equipment Reconciliation

	<b>\$'000</b>
Carrying Amount at 1 July 2012	603
Acquisitions	12
Disposals	(3)
Depreciation	(116)
Carrying Amount at 30 June 2013	<b>496</b>
	<b>\$'000</b>
Carrying Amount at 1 July 2011	674
Acquisitions	37
Disposals	0
Depreciation	(108)
Carrying Amount at 30 June 2012	<b>603</b>

	2013 \$'000	2012 \$'000
<b>13. PAYABLES</b>		
Trade creditors	40	76
Sundry payables	15	17
Parental Leave Payments	5	3
<b>Total</b>	<u>60</u>	<u>96</u>
<b>14. ACCRUED EMPLOYEE BENEFITS</b>		
<b>Current</b>		
Recreation leave	292	314
<b>Total</b>	<u>292</u>	<u>314</u>
<b>Non-Current</b>		
Recreation leave	27	65
<b>Total</b>	<u>27</u>	<u>65</u>
<b>15. RECONCILIATION OF OPERATING SURPLUS TO NET CASH FROM OPERATING ACTIVITIES</b>		
Operating surplus/(deficit)	513	640
Depreciation expense	116	108
Loss from disposal of plant and equipment	2	-
Change in assets and liabilities:		
(Increase)/decrease in GST input tax credits receivable	12	-
(Increase)/decrease in prepayments/other	1	8
(Increase)/decrease in other receivables	9	(4)
Increase/(decrease) in accounts payable	(36)	(9)
Increase/(decrease) in other payables	(1)	(3)
Increase/(decrease) in accrued employee benefits	(20)	(13)
<b>Net Cash from operating activities</b>	<u>596</u>	<u>727</u>

## 16. COMMITMENTS FOR EXPENDITURE

### (a) Non-Cancellable Operating Leases:

Commitments under operating leases at reporting date are inclusive of anticipated GST and are payable as follows:

	2013 \$'000	2012 \$'000
- Not later than one year	579	592
- Later than one year and not later than five years	2,056	2,391
- Later than five years	-	252
<b>Total</b>	<b>2,635</b>	<b>3,235</b>

Operating leases are entered into as a means of acquiring access to office accommodation. Lease payments are generally fixed, but with inflation escalation clauses on which contingent rentals are determined.

### (b) Capital Expenditure Commitments

There were no capital commitments of a material nature at 30 June 2013.

## 17. CONTINGENCIES

### (a) Guarantees and Undertakings

The Office of the Information Commissioner was not committed to any guarantees or undertakings at 30 June 2013.

### (b) Unresolved legal matters

A court matter in 2011-12 has now been finalised. The party (P.Henderson) against whom the order was made has filed for bankruptcy. The Office is no longer to receive payment of costs from this party. A bad debt (\$29,167.22) has been written off in 2012-13.

## 18. FINANCIAL INSTRUMENTS

### *Categorisation of Financial Instruments*

The Office of the Information Commissioner has the following categories of financial assets and financial liabilities:

(a) Category	Note	2013 \$'000	2012 \$'000
<b>Financial Assets</b>			
Cash and cash equivalents	9	1,810	5,988
Receivables	10	25	45
<b>Total</b>		<b>1,835</b>	<b>6,033</b>
<b>Financial Liabilities</b>			
Financial liabilities measured at amortised cost:			
Payables	13	60	96
<b>Total</b>		<b>60</b>	<b>96</b>

18. FINANCIAL INSTRUMENTS (continued)

(b) *Financial Risk Management*

The Office of the Information Commissioner's activities expose it to a variety of financial risks - interest rate risk, credit risk, liquidity risk and market risk, however due to the nature of the Office's activities, these risks are limited.

Financial risk management is implemented pursuant to Government policy. These policies focus on the unpredictability of financial markets and seek to minimise any potential adverse effect on the financial performance of the Office.

The Office of the Information Commissioner measures risk exposure using a variety of methods as follows:

Risk Exposure	Measurement method
Liquidity risk	Sensitivity analysis
Market risk	Interest rate sensitivity analysis
Credit risk	Ageing analysis, earnings at risk

(c) *Liquidity Risk*

Liquidity risk refers to the situation where the Office may encounter difficulty in meeting obligations associated with financial liabilities that are settled by delivering cash or another financial asset.

The Office is exposed to liquidity risk in respect of its payables.

The Office manages liquidity risk by ensuring the Office has sufficient funds available to meet employee and supplier obligations as they fall due.

This is achieved by ensuring that minimum levels of cash are held within the bank account so as to match the expected duration of the various employee and supplier liabilities.

The following table sets out the liquidity risk of financial liabilities held by the Office.

**Liquidity**

	Note	2013 Payable in			Total
		<1 year \$'000	1 - 5 years \$'000	>5 years \$'000	\$'000
Financial Liabilities					
Payables	13	60	-	-	60
<b>Total</b>		<b>60</b>	<b>-</b>	<b>-</b>	<b>60</b>

	Note	2012 Payable in			Total
		<1 year \$'000	1 - 5 years \$'000	>5 years \$'000	\$'000
Financial Liabilities					
Payables	13	96	-	-	96
<b>Total</b>		<b>96</b>	<b>-</b>	<b>-</b>	<b>96</b>

18. FINANCIAL INSTRUMENTS (continued)

(d) *Market Risk*

The Office does not trade in foreign currency and is not materially exposed to commodity price changes. The Office does not undertake any hedging in relation to interest risk and manages its risk as per the liquidity risk management strategy.

(e) *Interest Rate Sensitivity Analysis*

The following interest rate sensitivity analysis depicts the outcome on profit or loss if interest rates would change by +/- 1% from the year-end rates applicable to the Office's financial assets.

With all other variables held constant, the Office would have a surplus and equity increase or (decrease) of \$18,000 (2012: \$60,000). This is mainly attributable to the Office's exposure to variable interest rates on cash held in the bank account.

**Interest rate sensitivity analysis**

Financial Instruments	Carrying Amount \$'000	2013 Interest rate risk			
		-1%		+1%	
		Profit	Equity	Profit	Equity
Cash and Cash Equivalents	1,810	(18)	(18)	18	18
<b>Potential Impact</b>		<b>(18)</b>	<b>(18)</b>	<b>18</b>	<b>18</b>

Financial Instruments	Carrying Amount \$'000	2012 Interest rate risk			
		-1%		+1%	
		Profit	Equity	Profit	Equity
Cash and Cash Equivalents	5,988	(60)	(60)	60	60
<b>Potential Impact</b>		<b>(60)</b>	<b>(60)</b>	<b>60</b>	<b>60</b>



18. FINANCIAL INSTRUMENTS (continued)

(f) *Credit Risk Exposure*

Credit risk exposure refers to the situation where the Office may incur financial loss as a result of another party to a financial instrument failing to discharge their obligation.

The maximum exposure to credit risk at balance date in relation to each class of recognised financial assets is the gross carrying amount of those assets inclusive of any provisions for impairment.

The following table represents the Office's maximum exposure to credit risk based on contractual amounts net of any allowances:

Maximum Exposure to Credit Risk

Category	Note	2013 S'000	2012 S'000
Financial Assets			
Cash and cash equivalents	9	1,810	5,988
Receivables	10	25	45
<b>Total</b>		<b>1,835</b>	<b>6,033</b>

No collateral is held as security and no credit enhancements relate to financial assets held by the Office.

The Office manages credit risk through the use of a credit management strategy. This strategy aims to reduce the exposure to credit default by ensuring the Office monitors all funds owed on a timely basis.

Exposure to credit risk is monitored on an ongoing basis.

No financial assets and financial liabilities have been offset and presented net in the Statement of Financial Position.

No financial assets have had their terms renegotiated so as to prevent them from being past due or impaired, and are stated at the carrying amounts as indicated.

There are no financial assets for 2012-13 and 2011-12 financial year that are past due and not impaired.

(g) *Fair Value*

The Office of the Information Commissioner does not recognise any financial assets or financial liabilities at fair value.

The fair value of trade receivables and payables is assumed to approximate the value of the original transaction, less any provision for impairment.

19. EVENTS OCCURRING AFTER BALANCE DATE

The Office of the Information Commissioner did not have any events that occurred after the balance date to be reported in the financial statements.

## CERTIFICATE OF THE OFFICE OF THE INFORMATION COMMISSIONER

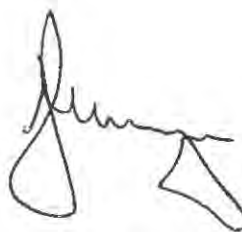
These general purpose financial statements have been prepared pursuant to section 62(1) of the *Financial Accountability Act 2009* (the Act), relevant sections of the *Financial and Performance Management Standard 2009* and other prescribed requirements.

In accordance with Section 62(1) (b) of the Act we certify that in our opinion:

- (a) the prescribed requirements for establishing and keeping the accounts have been complied with in all material respects; and
- (b) the statements have been drawn up to present a true and fair view, in accordance with prescribed accounting standards, of the transactions of the Office of the Information Commissioner for the financial year ended 30 June 2013 and of the financial position of the Office of the Information Commissioner at the end of that year.



C SMITH  
A/INFORMATION COMMISSIONER



GREG ARGUE  
MANAGER  
CORPORATE & EXECUTIVE SERVICES

2 August 2013

## INDEPENDENT AUDITOR'S REPORT

To the Accountable Officer of the Office of the Information Commissioner

### Report on the Financial Report

I have audited the accompanying financial report of Office of the Information Commissioner, which comprises the statement of financial position as at 30 June 2013, the statement of comprehensive income, statement of changes in equity and statement of cash flows or the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and certificates given by the Information Commissioner and the Manager, Corporate and Executive Services.

### *The Information Commissioner's Responsibility for the Financial Report*

The Information Commissioner is responsible for the preparation of the financial report that gives a true and fair view in accordance with prescribed accounting requirements identified in the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2009*, including compliance with Australian Accounting Standards. The Information Commissioner's responsibility also includes such internal control as the Information Commissioner determines is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

### *Auditor's Responsibility*

My responsibility is to express an opinion on the financial report based on the audit. The audit was conducted in accordance with the *Auditor-General of Queensland Auditing Standards*, which incorporate the Australian Auditing Standards. Those standards require compliance with relevant ethical requirements relating to audit engagements and that the audit is planned and performed to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control, other than in expressing an opinion on compliance with prescribed requirements. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Information Commissioner, as well as evaluating the overall presentation of the financial report including any mandatory financial reporting requirements approved by the Treasurer for application in Queensland.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my audit opinion.

### *Independence*

The *Auditor-General Act 2009* promotes the independence of the Auditor-General and all authorised auditors. The Auditor-General is the auditor of all Queensland public sector entities and can be removed only by Parliament.

The Auditor-General may conduct an audit in any way considered appropriate and is not subject to direction by any person about the way in which audit powers are to be exercised. The Auditor-General has for the purposes of conducting an audit, access to all documents and property and can report to Parliament matters which in the Auditor-General's opinion are significant.

### *Opinion*

In accordance with s.40 of the *Auditor-General Act 2009* –

- (a) I have received all the information and explanations which I have required; and
- (b) In my opinion –
  - (i) the prescribed requirements in relation to the establishment and keeping of accounts have been complied with in all material respects; and
  - (ii) the financial report presents a true and fair view, in accordance with the prescribed accounting standards, of the transactions of the Office of the Information Commissioner for the financial year 1 July 2012 to 30 June 2013 and of the financial position as at the end of that year.

### **Other Matters - Electronic Presentation of the Audited Financial Report**

Those viewing an electronic presentation of these financial statements should note that audit does not provide assurance on the integrity of the information presented electronically and does not provide an opinion on any information which may be hyperlinked to or from the financial statements. If users of the financial statements are concerned with the inherent risks arising from electronic presentation of information, they are advised to refer to the printed copy of the audited financial statements to confirm the accuracy of this electronically presented information.



M J Keane CA  
(as Delegate of the Auditor-General of Queensland)



Queensland Audit Office  
Brisbane

# Appendixes

Appendix 1. Glossary of terms.....	74
Appendix 2. Compliance Checklist-Annual report.....	76
Appendix 3. Category of external review applications.....	78
Appendix 4. Number of review applications received including 'deemed decisions'	78
Appendix 5. Profile of applicants making external review applications.....	79
Appendix 6. Applications received by agency profile.....	79
Appendix 7. Outcome of reviews.....	80
Appendix 8. RTI regulation reporting requirements not elsewhere captured..... within the annual report	80
Appendix 9. IP regulation reporting requirements not elsewhere captured..... within the annual report	81
Appendix 10. Applications for external review 2011-12.....	82
Appendix 11. Outcomes for decisions.....	85

## **Appendix 1. Glossary of terms**

### **Administrative release**

The regular release of information by an agency without requiring a formal access application under the right to information or information privacy legislation.

### **Application**

The process whereby a person requests access to government information by completing a copy of the approved form.

### **Awareness activity**

An activity undertaken to increase the level of knowledge in both the public sector, and the broader community, about information rights and responsibilities.

### **Best practice**

A method or technique for accomplishing a business outcome, that has consistently shown results superior to those achieved by other means, and which is used as an industry benchmark.

### **Consolidated revenue**

A fund into which tax revenue is paid.

### **Decision**

A formal, written decision issued by the Information Commissioner, on an external review application to affirm, vary, or set aside a decision made by an agency or Minister.

### **Deemed decision**

A decision that is taken to be made to refuse access to information because the timeframe has expired.

### **Disclosure log**

A list or copies of documents released following a decision about an application for access under the RTI Act, which is published on an agency's website.

### **Early resolution**

A flexible conciliation based process in which OIC seeks to resolve an external review application by negotiating a mutually acceptable outcome with the parties, without the need for a formal written decision.

### **External review**

The External Review function of OIC is responsible for the independent merits review of Queensland government agency and Ministers' decisions about access to information under the right to information legislation and access to, or amendment of, documents under the information privacy legislation.

### **Governance**

The process by which decisions are controlled and managed to achieve their objectives, and by which organisations are directed, reviewed, and held to account.

### **Independent Auditor's Report**

As OIC does not have an internal financial audit function, all audits, are conducted by the Queensland Audit Office, providing OIC an Independent Auditor's Report.

### **Information and assistance**

The Information and Assistance function of OIC has responsibility for providing an enquiry service, which responds to approximately 4,000 enquiries annually, and producing extensive guidance for agencies and the community.

### **Open Data**

A Queensland Government initiative to make government data available to the community by adopting, developing and implementing technological measures to deliver information.

### **Performance monitoring and reporting**

The Performance Monitoring and Reporting function of OIC monitors and reports on Queensland government agency compliance with the right to information and information privacy legislation.

### **Performance report card**

In the context of this report, a visual display of the most significant performance information consolidated so that an overall understanding can be gained at a glance.

### **Privacy**

The OIC Privacy Function is designed to help protect personal information held by Queensland government agencies.

### **Privacy complaint**

A complaint alleging that an agency has failed to comply with the privacy principles or a waiver or modification approval under the *Information Privacy Act 2009* (Qld).

### **Privacy principles**

A set of rules that prescribe how Queensland government agencies manage the personal information they hold.

### **Publication scheme**

A publication scheme is a structured list of an agency's information which is readily available to the public.

### **Reverse RTI**

The process by which a relevant third party applies for the review of a decision to give access to information, contrary to the third party's views.

### **Right to information**

The legislative and administrative framework that allows individuals to access information held by Queensland government agencies.

### **Service**

A group of related activities contributing to a common organisational objective.

### **Service standard**

A goal or target to be reached. Its general aim is to improve performance continuously.

### **Strategic plan**

A critical document, with a minimum five year outlook, which outlines the key strategies to be undertaken to achieve the organisation's desired outcomes.

### **Training and Stakeholder Relations**

The Training and Stakeholder Relations function of OIC promotes the principles and practices of right to information and information privacy.

## Appendix 2. Compliance checklist-annual report

This annual report is prepared in accordance with all relevant Queensland legislation. This checklist has been prepared to facilitate identification of OIC's compliance with statutory disclosure requirements.

- FAA *Financial Accountability Act 2009*
- FPMS Financial and Performance Management Standard 2009
- ARR's Annual report requirements for Queensland Government agencies

Summary of requirement		Basis for requirement	Annual report reference
Letter of compliance	<ul style="list-style-type: none"> <li>• A letter of compliance from the accountable officer or statutory body to the relevant Minister</li> </ul>	ARRs – section 8	✓ page 4
Accessibility	<ul style="list-style-type: none"> <li>• Table of contents</li> <li>• Glossary</li> </ul>	ARRs – section 10.1	✓ page iv ✓ page 74
	<ul style="list-style-type: none"> <li>• Public availability</li> </ul>	ARRs – section 10.2	✓ page 91
	<ul style="list-style-type: none"> <li>• Interpreter service statement</li> </ul>	Queensland Government Language Services Policy ARRs – section 10.3	✓ page 91
	<ul style="list-style-type: none"> <li>• Copyright notice</li> </ul>	<i>Copyright Act 1968</i> ARRs – section 10.4	✓ page 91
	<ul style="list-style-type: none"> <li>• Information licensing</li> </ul>	Queensland Government Enterprise Architecture – Information licensing ARRs – section 10.5	✓ page 91
General information	<ul style="list-style-type: none"> <li>• Introductory information</li> </ul>	ARRs – section 11.1	✓ page ii
	<ul style="list-style-type: none"> <li>• Agency role and main functions</li> </ul>	ARRs – section 11.2	✓ page 1
	<ul style="list-style-type: none"> <li>• Operating environment</li> </ul>	ARRs – section 11.3	✓ page 7
	<ul style="list-style-type: none"> <li>• Machinery-of-government changes</li> </ul>	ARRs – section 11.4	✓ page 17
Non-financial performance	<ul style="list-style-type: none"> <li>• Government objectives for the community</li> </ul>	ARRs – section 12.1	✓ page ii-17
	<ul style="list-style-type: none"> <li>• Other whole-of-government plans / specific initiatives</li> </ul>	ARRs – section 12.2	✓ page ii-17
	<ul style="list-style-type: none"> <li>• Agency objectives and performance indicators</li> </ul>	ARRs – section 12.3	✓ page 3-40
	<ul style="list-style-type: none"> <li>• Agency service areas, service standards and other measures</li> </ul>	ARRs – section 12.4	✓ page 3-40



Summary of requirement		Basis for requirement	Annual report reference
Financial performance	<ul style="list-style-type: none"> <li>Summary of financial performance</li> </ul>	ARRs – section 13.1	✓ page 41
	<ul style="list-style-type: none"> <li>Chief Finance Officer (CFO) statement</li> </ul>	ARRs – section 13.2	✓ page 41
Governance – management and structure	<ul style="list-style-type: none"> <li>Organisational structure</li> </ul>	ARRs – section 14.1	✓ page 10
	<ul style="list-style-type: none"> <li>Executive management</li> </ul>	ARRs – section 14.2	✓ page 9
	<ul style="list-style-type: none"> <li>Related entities</li> </ul>	ARRs – section 14.3	n/a
	<ul style="list-style-type: none"> <li>Boards and committees</li> </ul>	ARRs – section 14.4	✓ page 1
	<ul style="list-style-type: none"> <li><i>Public Sector Ethics Act 1994</i></li> </ul>	<i>Public Sector Ethics Act 1994</i> (section 23 and Schedule) ARRs – section 14.5	✓ page 14
Governance – risk management and accountability	<ul style="list-style-type: none"> <li>Risk management</li> </ul>	ARRs – section 15.1	✓ page 14
	<ul style="list-style-type: none"> <li>External scrutiny</li> </ul>	ARRs – section 15.2	n/a
	<ul style="list-style-type: none"> <li>Audit committee</li> </ul>	ARRs – section 15.3	✓ page ii-17
	<ul style="list-style-type: none"> <li>Internal audit</li> </ul>	ARRs – section 15.4	✓ page ii-17
	<ul style="list-style-type: none"> <li>Public Sector Renewal Program</li> </ul>	ARRs – section 15.5	n/a
	<ul style="list-style-type: none"> <li>Information systems and recordkeeping</li> </ul>	ARRs – section 15.7	✓ page 13
Governance – human resources	<ul style="list-style-type: none"> <li>Workforce planning, attraction and retention and performance</li> </ul>	ARRs – section 16.1	✓ page 9-12
	<ul style="list-style-type: none"> <li>Early retirement, redundancy and retrenchment</li> </ul>	Directive No.11/12 Early Retirement, Redundancy and Retrenchment ARRs – section 16.2	✓ page 11
	<ul style="list-style-type: none"> <li>Voluntary Separation Program</li> </ul>	ARRs – section 16.3	n/a
Open Data	<ul style="list-style-type: none"> <li>Open Data</li> </ul>	ARRs – section 17	✓ page 13
Financial statements	<ul style="list-style-type: none"> <li>Certification of financial statements</li> </ul>	FAA – section 62 FPMS – sections 42, 43 and 50 ARRs – section 18.1	✓ page 70
	<ul style="list-style-type: none"> <li>Independent Auditor's Report</li> </ul>	FAA – section 62 FPMS – section 50 ARRs – section 18.2	✓ page 71-72
	<ul style="list-style-type: none"> <li>Remuneration disclosures</li> </ul>	Financial Reporting Requirements for Queensland Government Agencies ARRs – section 18.3	✓ page 41-72

### Appendix 3. Category and number of external review applications

	2008-09	2009-10	2010-11	2011-12	2012-13		
					RTI	IP	Total
Initial FOI/RTI/IP applications	3	7	10	11	4	4	8
Deemed refusal of access	43	51	48	30	29	13	42
Deemed refusal of amendment	0	3	1	3	N/A	0	0
Fees	49	6	3	1	2	0	2
Charges	3	2	1	2	2	0	2
Statements of affairs	1	0	0	0	0	0	0
Refusal of access	177	251	236	253	253	69	322
Refusal of amendment	5	9	6	4	N/A	8	8
Agency refusal to deal	3	22	22	12	16	8	24
Reverse RTI	14	14	36	45	30	0	30
Sufficiency of search	42	74	49	43	44	51	95
No jurisdiction	n/a	n/a	n/a	n/a	n/a	n/a	0
<b>Total applications received</b>	<b>340</b>	<b>439</b>	<b>412</b>	<b>404</b>	<b>380</b>	<b>153</b>	<b>533</b>

### Appendix 4. Number of review applications received including 'deemed decisions'

Year	No. review applications received	No. review applications concerning 'deemed decisions'	% of review applications concerning 'deemed decisions'
2012-13	533	42	8%
2011-12	404	33	8%
2010-11	412	49	12%
2009-10	439	53	12%
2008-09	340	43	13%

## Appendix 5. Profile of applicants making external review applications

	2008-09	2009-10	2010-11	2011-12	2012-13
Agencies	1	1	7	2	10
Individuals	268	315	318	280	327
Companies	31	37	36	58	103
Journalists	2	27	14	20	53
Lobby and community groups	2	8	11	6	5
Politicians	1	5	4	6	8
Prisoners	22	41	18	29	25
Public Servants	n/a	5	4	3	2
Unspecified	13	n/a	n/a	n/a	n/a
<b>Total</b>	<b>340</b>	<b>439</b>	<b>412</b>	<b>404</b>	<b>533</b>

## Appendix 6. Applications received by agency profile

	2008-09	2009-10	2010-11	2011-12	2012-13
Boards/Commissions/GOCs	76	65	72	25	39
Departments	187	270	251	296	355
Local governments	36	83	67	68	75
Universities	15	12	13	12	10
Ministers	1	5	7	1	50
Other bodies	25	4	2	2	4
<b>Total</b>	<b>340</b>	<b>439</b>	<b>412</b>	<b>404</b>	<b>533</b>

Please note: Applications received have been recorded as per the machinery-of-government changes after 26 March 2012 to the best of OIC's knowledge.

## Appendix 7. Outcome of reviews

Outcome of review	2008-09	2009-10	2010-11	2011-12	2012-13
Affirming agency decision	43	8	30	27	22
Varying agency decision	15	15	22	20	23
Setting aside agency decision	18	12	12	8	11
<b>Decision under section 110 of RTI Act or section 123 of IP Act</b>	<b>76</b>	<b>35</b>	<b>64</b>	<b>56</b>	<b>56</b>
<b>Review settled informally</b>	<b>156</b>	<b>267</b>	<b>242</b>	<b>329</b>	<b>333</b>
Decision application is out of jurisdiction—section 52, section 101 IP Act; section 32, section 88 of the RTI Act	103	43	57	37	45
Decision not to deal with application—section 107 of IP Act, section 94 of the RTI Act	4	3	5	17	5
Decision to allow agency further time to deal with application—section 106 of IP Act, section 93 of RTI Act.	20	25	26	19	19
<b>Determination of review not required</b>	<b>127</b>	<b>71</b>	<b>88</b>	<b>72</b>	<b>69</b>
<b>Total</b>	<b>359</b>	<b>373</b>	<b>394</b>	<b>457</b>	<b>458</b>

## Appendix 8. RTI regulation reporting requirements not elsewhere captured within the annual report

RTI Requirements	Outcome
<b>Right to Information Regulation Part 4 section 7</b>	
(d) the number of times and the way in which the commissioner has used the entitlement to full and free access to documents under section 100 of the Act.	0
(e) the number of applications made under section 114 of the Act for a declaration that a person is a vexatious applicant and the number of declarations under that section made by the commissioner.	0
<b>Right to Information Regulation Part 4 section 7</b>	
(f) the number of applications for extension of the 10 year period received by the commissioner under schedule 4, part 4, item 1 of the Act and the commissioner's decision for each application.	0
<b>Right to Information Regulation Part 4 section 7</b>	
(a) the number of applications by non-profit organisations for financial hardship status under section 67 of the Act.	6

## Appendix 9. IP regulation reporting requirements not elsewhere captured within the annual report

IP Requirements	Outcome
<b>Information Privacy Regulation Part 4 section 5</b>	
(c) the number of times and the way in which the commissioner has used the entitlement to full and free access to documents under section 113 of the Act.	0
(d) the number of applications made under section 127 of the Act for a declaration that a person is a vexatious applicant and the number of declarations under the section made by the commissioner.	0
<b>Information Privacy Regulation Part 4 section 5</b>	
(e) approval of waivers or modifications of the privacy principles under chapter 4, part 5 of the Act.	1
<b>Information Privacy Regulation Part 4 section 5</b>	
(f) compliance notices given under chapter 4, part 6 of the Act.	0
<b>Information Privacy Regulation Part 4 section 5(2)</b>	
(c) the categories of relevant entities to which the complaints relate.	Queensland state departments
(d) the provisions of the privacy principles to which the complaints relate.	Complaints related to Information Privacy Principles 1, 2, 3, 4, 7, 9, 10, 11 and s.33; and National Privacy Principle 2.
(e) the number of complaints referred by the commissioner to other entities under section 169 of the Act.	0
(f) the number and type of complaints resolved by agreement after mediation.	4

## Appendix 10. Applications for external review 2012-13

<b>Ministers</b>	
Attorney-General and Minister for Justice	1
Deputy Premier	2
Deputy Premier, Minister for State Development, Infrastructure and Planning	11
Minister for Aboriginal, Torres Strait Islander and Multicultural Affairs	1
Minister for Agriculture, Fisheries and Forestry	2
Minister for Communities, Child Safety and Disability Services	1
Minister for Education, Training and Employment	2
Minister for Energy and Water Supply	2
Minister for Environment and Heritage Protection	3
Minister for Local Government, Community Recovery and Resilience	1
Minister for National Parks, Recreation, Sport and Racing	2
Minister for Natural Resources and Mines	7
Minister for Science, Information Technology, Innovation and the Arts	1
Minister for Transport and Main Roads	2
Office of the Minister for Science, Information Technology, Innovation and the Arts	1
Office of the Minister for Tourism, Major Events, Small Business and the Commonwealth Games	1
Office of the Premier	4
Treasurer and Minister for Trade	6
<b>Sub-total</b>	<b>50</b>
<b>Local governments</b>	
Banana Shire Council	1
Brisbane City Council	14
Bundaberg Regional Council	2
Cassowary Coast Regional Council	2
Central Highlands Regional Council	1
Fraser Coast Regional Council	2
Gladstone Regional Council	1
Gold Coast City Council	6
Hope Vale Aboriginal Shire Council	1
Ipswich City Council	3
Lockyer Valley Regional Council	2
Logan City Council	6
Mackay Regional Council	1
Moreton Bay Regional Council	8
Northern Peninsula Area Regional Council	1
Redland City Council	4

<b>Local governments (cont.)</b>	
Rockhampton Regional Council	6
Scenic Rim Regional Council	2
Sunshine Coast Regional Council	9
Toowoomba Regional Council	4
Townsville City Council	2
Whitsunday Regional Council	1
<b>Sub-total</b>	<b>79</b>
<b>Boards, Commissions, GOC</b>	
Allconnex Water	1
Building Services Authority	7
Crime and Misconduct Commission	2
Electoral Commission Queensland	2
Energex	2
Legal Services Commission	2
QSuper and QSuper Limited	2
Queensland Integrity Commissioner	2
Queensland Ombudsman	1
Queensland Urban Utilities	2
South Burnett Regional Council	4
WorkCover Queensland	1
State Library of Queensland	1
Sunwater Ltd	1
The Public Trustee of Queensland	3
Tourism Queensland	2
<b>Sub-total</b>	<b>35</b>
<b>Departments</b>	
Department of Aboriginal and Torres Strait Islander and Multicultural Affairs	2
Department of Agriculture, Fisheries and Forestry	4
Department of Communities	1
Department of Communities, Child Safety and Disability Services	32
Department of Community Safety	24
Department of Education, Training and Employment	17
Department of Energy and Water Supply	1
Department of Environment and Heritage Protection	19
Department of Housing and Public Works	10
Department of Justice and Attorney-General	24
Department of Local Government, Community Recovery and Resilience	1
Department of National Parks, Recreation, Sport and Racing	6

<b>Departments (cont.)</b>	
Department of Natural Resources and Mines	14
Department of Science, Information Technology, Innovation and the Arts	5
Department of State Development, Infrastructure and Planning	12
Department of the Premier and Cabinet	10
Department of Transport and Main Roads	19
Public Service Commission	3
Queensland Health	10
Queensland Police Service	78
Queensland Rail	3
Queensland Treasury and Trade	10
Translink Transit Authority	2
<b>Sub-total</b>	<b>307</b>
<b>Universities</b>	
Queensland College of Teachers	1
Queensland University of Technology	4
The University of Queensland	4
The University of Southern Queensland	1
<b>Sub-total</b>	<b>10</b>
<b>Other bodies</b>	
Rockhampton Grammar School	1
Southbank Institute of Technology	2
Australia-Pacific Technical College	1
Sunshine Coast Private Hospital	1
<b>Sub-total</b>	<b>5</b>
<b>Hospital and Health Services</b>	
Cairns and Hinterland Hospital and Health Service	8
Central Queensland Hospital and Health Service	1
Children's Health Services HHS	2
Darling Downs Hospital Health Services	1
Gold Coast Hospital and Health Service	5
Metro North Hospital and Health Service	15
Metropolitan South Health Service District	3
Sunshine Coast Hospital and Health Service	2
Townsville Hospital and Health Service	2
West Moreton Hospital and Health Service	7
Wide Bay Hospital and Health Service	1
<b>Sub-total</b>	<b>47</b>
<b>Total</b>	<b>533</b>



## Appendix 11. Outcomes for decisions

Review number	Agency	Date of decision	Outcome	Outcome type	Section decision
311031	Department of Communities	17-Jul-12	Varied	Access refused	IP Act - s.67(1), RTI Act - s.47(3)(a), RTI Act - s.48
310859	WorkCover Queensland	26-Jul-12	Affirmed	Access refused	RTI Act - s.47(3)(b), RTI Act - s.49
311004	The University of Queensland	01-Aug-12	Affirmed	Access refused	IP Act - s.67(1), RTI Act - s.47(3)(b), RTI Act - RTI Act - s.47(3)(e), RTI Act - s.49, RTI Act - s.52(1)(a)
311039	Queensland Police Service	07-Aug-12	Affirmed	Access refused	RTI Act - s.47(3)(a), RTI Act - s.48
310733	Queensland Police Service	07-Aug-12	Varied	Access refused	IP Act - s.67(1), RTI Act - s.47(3)(a), RTI Act - s.47(3)(b), RTI Act - s.47(3)(e), RTI Act - s.48, RTI Act - s.49, RTI Act - s.52(1)(b)
310967	Queensland Police Service	21-Aug-12	Affirmed	Access refused	RTI Act - s.47(3)(b), RTI Act - s.49
310890	Redland City Council	21-Aug-12	Varied	Access refused (in part)	RTI Act - s.47(3)(e), RTI Act - s.52(1)(a)
310903	Department of Transport and Main Roads	03-Sep-12	Set aside	Reverse RTI – Third party objections successful	RTI Act - s.47(3)(a), RTI Act - s.48
310929	Queensland Police Service	18-Sep-12	Varied	Access refused	RTI Act - s.47(3)(b), RTI Act - s.47(3)(e), RTI Act - s.49, RTI Act - s.52(1)(a), RTI Act - s.52(1)(b)
310734	Brisbane City Council	21-Sep-12	Affirmed	Access refused	RTI Act - s.47(3)(b), RTI Act - s.49
310930	The University of Queensland	21-Sep-12	Varied	Access refused (in part)	IP Act - s.67(1), RTI Act s. 47(3)(a), RTI Act - s.48
310829	Queensland Police Service	04-Oct-12	Varied	Access refused	RTI Act - s.47(3)(a), RTI Act - s.48
310954	The University of Queensland	16-Oct-12	Set aside	Access granted	

Review number	Agency	Date of decision	Outcome	Outcome type	Section decision
310868	North Queensland Bulk Ports Corporation Limited	15-Oct-12	Varied	Access refused	RTI Act - s.47(3)(a), RTI Act - s.47(3)(b), RTI Act - s.48, RTI Act - s.49
311014	Queensland Police Service	18-Oct-12	Varied	Access refused	RTI Act - s.47(3)(a), RTI Act - s.48
310899	Department of Justice and Attorney-General	29-Oct-12	Affirmed	Reverse RTI - Applicant granted access to docs	
310910	Department of Justice and Attorney-General	29-Oct-12	Affirmed	Reverse RTI - Applicant granted access to docs	
310911	Department of Justice and Attorney-General	29-Oct-12	Affirmed	Reverse RTI - Applicant granted access to docs	
310912	Department of Justice and Attorney-General	29-Oct-12	Affirmed	Reverse RTI - Applicant granted access to docs	
310913	Department of Justice and Attorney-General	29-Oct-12	Affirmed	Reverse RTI - Applicant granted access to docs	
310914	Department of Education and Training	30-Oct-12	Varied	Reverse RTI - Applicant granted access to docs	
310957	Department of Education and Training	30-Oct-12	Varied	Reverse RTI - Applicant granted access to docs	
310663	James Cook University	06-Nov-12	Set aside	Access refused (in part)	RTI Act - s.47(3)(a), RTI Act - s.48
310696	Health Quality and Complaints Commission	06-Nov-12	Varied	Access refused	RTI Act - s.47(3)(a), RTI Act - s.47(3)(e), RTI Act - s.48, RTI Act - s.52(1)(a)
310877	Health Quality and Complaints Commission	06-Nov-12	Varied	Access refused	RTI Act - s.47(3)(a), RTI Act - s.47(3)(e), RTI Act - s.48, RTI Act - s.52(1)(a)
310725	Queensland Police Service	08-Nov-12	Set aside	Access granted	
311111	Queensland Treasury and Trade	13-Nov-12	Affirmed	Access refused	RTI Act - s.47(3)(a), RTI Act - s.48

Review number	Agency	Date of decision	Outcome	Outcome type	Section decision
310716	Department of Justice and Attorney-General	22-Nov-12	Set aside	Access granted	
311033	Department of Housing and Public Works	26-Nov-12	Affirmed	Amendment refused	IP Act - s.72(1)(a)(i)
310766	Brisbane City Council	27-Nov-12	Varied	Access refused	RTI Act - s.47(3)(a), RTI Act - s.47(3)(e), RTI Act - s.48, RTI Act - s.52(1)(a)
311112	Building Services Authority	04-Dec-12	Affirmed	Access refused	RTI Act - s.47(3)(b), RTI Act - s.49
311035	Department of Employment, Economic Development and Innovation	10-Dec-12	Affirmed	Access refused	RTI Act - s.47(3)(a), RTI Act - s.47(3)(e), RTI Act - s.48, RTI Act - s.52(1)(a), RTI Act - s.52(1)(b)
310865	Rockhampton Regional Council	19-Dec-12	Affirmed	No reasonable grounds that additional documents exist	RTI Act - s.47(3)(e), RTI Act - s.52(1)(a)
310852	Department of Justice and Attorney-General	19-Dec-12	Varied	No reasonable grounds that additional documents exist	RTI Act - s.47(3)(e), RTI Act - s.52(1)(a)
311064	Department of Natural Resources and Mines	17-Dec-12	Varied	Part 4 - refusal to deal	RTI Act - s.43(3)(d)(ii)
311208	Sunwater Ltd	21-Dec-12	Set Aside	Access granted	
310775	Sunwater Ltd	21-Dec-12	Varied	Access refused (in part)	RTI Act - s.11, RTI Act - s.12(a), RTI Act - s.12(b)
311022	Gold Coast City Council	22-Jan-13	Affirmed	Access refused	RTI Act - s.47(3)(a), RTI Act - s.48
311184	Department of Transport and Main Roads	01-Feb-13	Affirmed	Part 4 - Refusal to deal	RTI Act - s.47(3)(a), RTI Act - s.48, RTI Act - s.40
311142	Queensland Police Service	15-Feb-13	Affirmed	Access refused	RTI Act - s.47(3)(a), RTI Act - s.48

Review number	Agency	Date of decision	Outcome	Outcome type	Section decision
311209	Department of Communities, Child Safety and Disability Services	05-Mar-13	Affirmed	Access refused	RTI Act - s.47(3)(a), RTI Act - s.48
311037	Queensland Police Service	06-Mar-13	Varied	Access refused	IP Act - s.67(1), RTI Act - s.47(3)(b), RTI Act - s.47(3)(e), RTI Act - s.49, RTI Act - s.52(1)(a)
311038	Department of Community Safety	06-Mar-13	Varied	Access refused	IP Act - s.67(1), RTI Act - s.47(3)(b), RTI Act - s.47(3)(e), RTI Act - s.49, RTI Act - s.52 (1)(a)
311059	Department of Natural Resources and Mines	15-Mar-13	Affirmed	Reverse RTI - Applicant granted access to docs	
310987	Moreton Bay Regional Council	27-Mar-13	Varied	Access refused (in part)	RTI Act - s.47(3)(b), RTI Act - s.49
311080	Department of Transport and Main Roads	12-Apr-13	Varied	Access refused	RTI Act - s.47(3)(a), RTI Act - s.47(3)(b), RTI Act - s.47(3)(e), RTI Act - s.48, RTI Act - s.49, RTI s. 52
311152	Queensland Police Service	19-Apr-13	Set Aside	Access granted	
311234	Queensland Treasury and Trade	26-Apr-13	Varied	Access refused	RTI Act - s.47(3)(a), RTI Act - s.48
311307	Queensland Police Service	15-May-13	Set Aside	Access granted	
311242	Queensland Police Service	16-May-13	Varied	No reasonable grounds that additional documents exist	RTI Act - s.47(3)(e), RTI Act - s.52(1)(a), RTI Act - s.52(1)(b)
311324	Department of Justice and Attorney-General	20-May-13	Affirmed	Section 43(3) - Application not compliant - IPA	IP Act - s.53(5)
311310	Redland City Council	13-Jun-13	Set Aside	Access granted	
311094	Queensland Health	17-Jun-13	Set Aside	Access refused	IP Act - s.67(1), RTI Act - s.47(3)(a), RTI Act - s.47(3)(b), RTI Act - s. 48, RTI Act - s. 49

Review number	Agency	Date of decision	Outcome	Outcome type	Section decision
311491	Queensland Police Service	25-Jun-13	Affirmed	Access refused	RTI Act - s.47(3)(a), RTI Act - s.48
311126	Department of Community Safety	26-Jun-13	Set Aside	Access granted	
311075	Queensland Rail	26-Jun-13	Varied	Access refused	RTI Act - s.47(3)(a), RTI Act - s.47(3)(b), RTI Act - s.47(3)(e), RTI Act - s.48, RTI Act - s.49, RTI Act - s.52(1)(a), RTI Act - s.52(1)(b)

# Index

- appeals on a question of law to QCAT, 21
- appendixes, 73
- applicant satisfaction, 3, 18, 21
- applications, resolving, 19
- assistance, additional advice, 40
- carers, 15
- case studies, 23, 24, 28
- code of conduct, 13
- complaints management, 14
- compliance checklist, 76
- consultants and contractors, 12
- corporate services, 13
- early resolution, 19
- enquiries service, 38
- environmental sustainability, 16
- ethics implementation statement, 14
- executive management, 9
- external review decisions, 21
- external review function, 7
- financial hardship status, applications, 23
- financial outlook, 41
- financial position, 41
- financial statement 2012-13, 41
- functions, OIC, 7
- functions, other support, 8
- glossary of terms, 74
- governance, our 12
- guidelines, 5, 7, 13, 15, 29-31
- highlights 2012-13, iii
- human resources, our, 9
- information and assistance, 29
- information and technology, 13
- Information Commissioner, Acting
  - biography, 9
  - message from, 5
- information management, 13, 31, 40
- independent auditor's report, 71
- international travel, 12
- judicial review of decisions, 21
- key performance indicators, our, 2
- Legal Affairs and Community Safety Committee, 1, 12
- legislative compliance, 15
- legislative developments/changes, 16
- letter of compliance, 4
- machinery-of-government changes, 17
- management certificate, 70
- mission, our, ii
- office management, 7
- open reviews, 22
- organisation, our, 7
- organisational chart, 10
- Parliamentary Committee, 12, 32
- performance monitoring and reporting, 31
- performance monitoring and review function, 7
- performance report card 2012-13, 3
- Privacy Awareness Week, 37
- Privacy Commissioner, Acting,
  - biography, 9
- privacy functions, 8
- professional development, 11
- promotion, 36
- Queensland Civil and Administrative Tribunal, 3, 7, 8, 14, 21, 25, 36
- Queensland Supreme Court, 21
- record keeping, 15
- resolution of reviews, 20
- resources, our, 2
- responsibilities, our, 1
- revenue, 41
- Right to Information Commissioner,
  - biography, 9
- Right to Information Day, 37
- risk management, 14
- service delivery statement, 2, 12, 22
- services,
  - one, 18
  - four, 36
  - three, 29
  - two, 25
- services, our, 1
- snapshot of our office, 1
- Solomon Lecture, 37
- staffing, 9
- strategic plan, 2, 14
- timeliness, 21
- training, 32
- values, our, ii
- vision, our, ii
- who we are, 1
- workplace health and safety, 16

The Office of the Information Commissioner is committed to providing accessible services to Queenslanders from all culturally and linguistically diverse backgrounds. If you have difficulty in understanding the annual report, you can contact us on (07) 3405 1111 and we will arrange an interpreter to effectively communicate the report to you.



© The State of Queensland (The Office of the Information Commissioner) 2013

This annual report is licensed by the State of Queensland (the Office of the Information Commissioner) under a Creative Commons Attribution (CC BY) 3.0 Australia licence.



#### CC By Licence Summary Statement

In essence, you are free to copy, communicate and adapt this annual report, as long as you attribute the work to the State of Queensland (the Office of the Information Commissioner).

To view a copy of this licence, visit <http://creativecommons.org/licences/by/3.0/au/deed.en>

#### Attribution

Content from this annual report should be attributed as: The State of Queensland (the Office of the Information Commissioner) Annual Report 2012-13.

#### Feedback

The Office of the Information Commissioner is committed to continual improvement and open and accountable governance. We hope you find our report informative and engaging, and we invite and welcome your feedback on this publication. Please provide any feedback or suggestions to [feedback@oic.qld.gov.au](mailto:feedback@oic.qld.gov.au) or (07) 3405 1111.

## **Office of the Information Commissioner Annual Report 2012-13**

Office of the Information Commissioner

Tel: +61 7 3405 1111

Fax: +61 7 3405 1122

Level 8, 160 Mary Street

PO Box 10143

Brisbane Qld 4000

Email: [administration@oic.qld.gov.au](mailto:administration@oic.qld.gov.au)

Website: [www.oic.qld.gov.au](http://www.oic.qld.gov.au)