



office of the
information
commissioner
new south wales

Review Report Right to Information Roadshow – Metropolitan Sydney

May 2011

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Contents

Contents	2
Overview	3
Attendance	4
Attendees	4
Roadshow expenditure	5
Media/advertising	6
'How heard' of event	6
Feedback	7
Follow up actions/recommendations	8
Sign off	9
Annexure A – OIC Information Session feedback form	i
Annexure B – Feedback from Metropolitan Roadshow	ii
Annexure C – comments from feedback forms	iv
Annexure D – feedback/ questions log by venue	ix
Annexure E – questions asked by topic	xvi
Annexure F - Draft Survey for the 2011 – 2012 GIPA Seminar Series hosted by the Office of the Information Commissioner	xxii

Overview

The metropolitan Right to Information Roadshow of the Office of the Information Commissioner (OIC) was an awareness campaign delivered from October 2010 to March 2011 which followed the regional Right to Information Roadshow (August – September 2010) and requests for similar events in metropolitan Sydney. The metropolitan schedule also assisted the OIC in taking a more strategic approach to managing requests for speakers and training.

A progress report covering the metropolitan Right to Information Roadshow schedule up to December 2010 is available on the OIC website at:

http://www.oic.nsw.gov.au/aqdbasev7wr/assets/oic/m15000112/progress_report_roadshow_metro_dec_2011.pdf

This document incorporates the information from the progress report and can be read as a stand alone report on the metropolitan Right to Information Roadshow.

The below metropolitan centres were targeted based on the location of key/priority business centres.

2010:

Centre	Date	Times	Sessions
Sutherland	19 October	9.00-12.00	Morning
Hurstville	19 October	1.30-4.30	Afternoon
Penrith	27 October	9.00-12.00	Morning
Blacktown	27 October	1.30-4.30	Afternoon
Campbelltown	9 November	9.00-12.00	Morning
Bankstown	9 November	9.00-12.00	Morning
Parramatta	23 November	9.00-12.00	Morning
Parramatta	23 November	1.30-4.30	Afternoon
Hornsby	6 December	9.00-12.00	Morning
Castle Hill	6 December	1.30-4.30	Afternoon

2011:

Centre	Date	Times	Sessions
Chatswood	8 February	9.30-12.30	Morning
Gosford	22 February	10.00-1.00	Morning
Katoomba	8 March	10.00-1.00	Morning
Sydney CBD	22 March	9.30-12.30	Morning
Sydney CBD	22 March	1.30-4.30	Afternoon

Attendance

Centre	RSVPs	Govt.	Public	Both	Attendance	Govt.	Public
Sutherland	37	24	11	2	30	22	8
Hurstville	35	28	7	0	32	25	7
Penrith	60	49	5	6	53	41	12
Blacktown	29	23	3	3	25	20	5
Campbelltown	39	29	9	1	42	35	7
Bankstown	44	30	7	7	48	41	7
Parramatta	157	130	16	11	130	115	15
Hornsby	29	22	6	1	31	20	11
Castle Hill	13	13	0	0	10	10	0
Chatswood	48	31	15	1	46	33	13
Gosford	57	41	16	0	37	28	9
Katoomba	37	25	12	0	31	21	10
Sydney CBD	300	253	47	0	190	126	64
Total	885	698	154	32	705	537	168

Regional roadshow attendance

Total	696
Agencies	599
Public	101

Metropolitan roadshow attendance

Total	705
Agencies	537
Public	168

From the 13 venues visited across Sydney, 14 information sessions were held for government agencies and 13 for members of the public and non-government agencies.

Attendees

The highest and lowest attendance events were:

Highest

- Sydney 190
- Parramatta 130
- Penrith 53
- Bankstown 48
- Chatswood 46

Lowest

- Castle Hill 10
- Blacktown 25
- Sutherland 30
- Hornsby 31
- Katoomba 31

The average number of attendees was 38 for the agency sessions and 13 for the public sessions.

Note: Parramatta & Sydney CBD had four sessions in one day – two for agencies and two for the public.

- The following stakeholders were targeted: state government, local government, community groups and the general public, media representatives, non-government organisations and advocacy groups, MPs and their electoral staff.
- 884 RSVPs received
- 705 people attended all sessions
 - 76% of total attendance was from government agencies
- 204 attendees requested to be added to OIC information mail-outs.
- A total of 486 feedback forms received (representing 68.94% of attendees).

Based on the contact list developed for the metropolitan agencies and NGOs:

- 1350 stakeholders were invited to attend
 - Posted – 541
 - Emailed - 809
- 1769 hardcopy flyers were posted out:
 - 1 flyer sent to each Agency and MP
 - 20 flyers sent to each local government agency *
 - 10 flyers sent to each non-government agency *

* Additional flyers sent for distribution and/or promotion to the public by that agency.

Roadshow expenditure

The expenditure for the roadshow is as follows:

Item	Cost
Venues – includes refreshments and IT/AV costs	7,762.50
Cabs / train fares, car hire	498.73
Postage	872.56
Media	24,775.76
Project Officer salary 20/9/10 to 10/12/10 (not employed beyond this date)	16,620
Total	\$49,869.55

Flyers and showbag contents used in the roadshow were from existing supplies.

The projected expenditure for the metropolitan roadshow (as per plan of 20/9/2010) were:

Item	Cost
Venues – includes refreshments and IT/AV costs	10,590.00
Cabs / train fares, car hire	1,200.00
Postage	1,800.00
Media	40,000.00
Showbag 'material' (existing supply to be used)	0.00
Flyers	2,000.00
Project Officer salary 20/9/10 to 10/12/10	15,000.00
Total	\$70,590.00

Overall expenditure was 29% under budget and less than projected in all areas except for the salary of the project officer, which was about 10% higher than projected.

Media/advertising

The communications team ran 28 advertisements promoting roadshow events in two statewide and 12 suburban newspapers throughout the metropolitan roadshow awareness campaign. In addition, thirteen stories were run in 12 papers and some coverage was provided on local radio stations.

'How heard' of event

The OIC's Information and Assistance Officers were asked to enquire, "How did you hear about this event?" when RSVPs were confirmed by telephone.

Of the 512 RSVP contacts (many were confirming for more than one attendee), 208 (or 41%) indicated how they heard about the roadshow. 81% of the respondents heard about the metropolitan roadshow through direct OIC contact, 15% through media or other networks.

Mode	Numbers	Percentage
OIC email	22	12%
OIC letter	35	17%
OIC flyer	35	17%
OIC newsletter	8	4%
OIC website	3	2%
Advice within agency (in response to OIC contact)	64	32%
Total in response to OIC direct contact strategies	167	84%
Own Networks	3	2%
OIC advertising in Local Press*	28	14%
Total other	31	16%

- *All but two of the attendees who heard about the roadshow event through the local media were members of the public.

Feedback

The overall response to the metropolitan roadshow has been largely positive. However, analysis of the feedback to date highlights that some stakeholders expected, or desired, more detailed information.

A copy of the feedback form used is attached as Annexure A. All feedback contained in the feedback forms is collated in the following documents:

- **Annexure B** – Feedback from the Metropolitan Roadshow
- **Annexure C** – Comments from the feedback forms.

69 per cent of total attendees provided completed feedback forms (68% of agency participants and 72% of participants to the public sessions). The percentages below reflect scores of 3 or 4 on the feedback forms (i.e. high satisfaction).

Metropolitan roadshows delivered from October 2010 to March 2011

	Total feedback	Agencies only	Public only
Overall satisfaction with sessions	83%	81%	89%
Met expectation	81%	78%	89%
Understood implications	86%	84%	93%
More confident	82%	79%	91%
Relevance to their work	73%	72%	77%
Presenter's effectiveness	93%	92%	97%

As a comparison, below is the feedback summary from the regional right to information roadshow, showing how feedback between the two awareness campaigns differ. (N.B. Sixty-five per cent of participants completed feedback forms for the regional roadshows.)

Regional roadshows delivered August – September 2010:

- Overall satisfaction with sessions 92%
- Met expectation 90%
- Understood implications 92%
- More confident 85%
- Relevance to their work 83%
- Presenter's effectiveness 97%

Metropolitan roadshow results compared to regional campaign:

- Overall satisfaction with sessions ↓9%
- Met expectation ↓9%
- Understood implications ↓6%
- More confident ↓3%
- Relevance to their work ↓10%
- Presenter's effectiveness ↓4%

Brief analysis of feedback:

A couple of key themes are apparent from the feedback collected from participants of the metropolitan right to information roadshow. A recurring expectation from the agency participants was for more detailed information than was available in the awareness sessions, particularly from the latter dates in the metropolitan schedule, given the Act commenced in July 2010. This included:

- More detailed/specific training for access to information practitioners, e.g. more examples of templates, fact sheets etc; good and bad practice; more opportunity for Q&A; review cases

- Sessions targeted to interest groups (e.g. copyright and development applications for local government; interaction with Privacy and Personal Information Protection Act; lawyers and advocates).

Brief analysis of questions asked:

Similar numbers attended the metropolitan roadshow as the regional right to information campaign. A review of the questions asked at the awareness sessions by topic indicate there were more questions asked at the metropolitan roadshow relating to the GIPA Act, local government and costs and other charges. Fewer questions were asked at the metropolitan roadshow relating to the Internet and privacy. Other topics (such as the accessing information process, the OIC, public interest, compliance, reviews, contracts etc) remained about the same. No specific questions were asked at the metropolitan sessions regarding training.

Please see the following annexures for full details of the questions asked at the metropolitan roadshow:

- **Annexure D** - Feedback/Questions log by venue;
- **Annexure E** - Questions asked by topic.

Follow up actions/recommendations

1. The 'questions asked by topic' document is to be referred to the Policy and Good Practice Team for review and analysis to identify any improvements in, or additions to, OIC tools and resources for agencies (i.e. continuous improvement of our publications, training support etc).
2. Analysis of the feedback and comments from the metropolitan roadshow have lead to the recommendation of a follow up series of seminars throughout 2011/12 (for instance every two to three months) with specific topics targeted to particular audiences. The seminars could be of approximately 2 hours length with three seminars scheduled and promoted at a time. The structure of the seminars would be determined by the topic (however to incorporate small group discussion and activities wherever possible). Possible venues are currently being investigated including facilities with the possibility of web casting the events to be available on demand (and available for non-metropolitan audiences)

It is proposed to survey the Right to Information Practitioners Network in May/June 2011 on priority/suggested topics, however, possible topics include:

- The overlap between information and privacy rights in NSW.
- How the OIC undertakes reviews
- Applying the public interest test
- Consultation with third parties
- Recording and communicating your actions and decisions under GIPA (including using OIC templates)
- Managing relationships with applicants
- Fees and charges
- Copyright and compliance with GIPA
- Review processes

Possible target audiences include: Right to information officers, records management and information staff, legal officers, frontline staff and managers.

The draft survey is attached for consideration and review as **Annexure F**.

3. Work with the Casework and Compliance team to develop training modules in 2011/12 for access to information practitioners on:
 - Process of decision making under GIPA
 - Resolution strategies.
4. The 'questions asked log' to be reviewed by the Community Liaison Officer to identify potential communities or regions for follow up targeted engagement.

5. Follow up the review report from regional right to information dated 20/9/2010 recommendation for annual budget allocation for regional education strategies and receive confirmation from the Information Commissioner as to the focus and timing for the broader organisation's regional presence in 2011/12. Following the merger of the Office of the Information Commissioner and Office of the Privacy Commissioner to form the Information and Privacy Commission, these education strategies will need to address the overlap between privacy of personal information and access to government information.

Sign off

Position	Signature & comments (if applicable)	Date
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Education & Promotion Officer

Principal Communications Officer

Manager, Policy & Good Practice

Information Commissioner

Report prepared by:

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Justine McHarg, Education & Promotion Officer

Date: 20 May 2011



Annexure A – OIC Information Session feedback form

Thank you for joining us at this information session. The Office of the Information Commissioner (OIC) values your feedback. To assist us to better understand your needs, please take a few moments to complete this feedback form and return it to the OIC representative.

1. **Did the information session meet your expectations?** (Please circle – 1 = strongly disagree, 4 = strongly agree)

(low) 1	2	3	4 (high)
Comments:			

2. **Did the information session help you to understand the new right to information system in NSW?**

(low) 1	2	3	4 (high)
Comments:			

3. **Did the information session make you feel more confident in asking for government information?**

(low) 1	2	3	4 (high)
Comments:			

4. **Does your work directly involve formal applications for information?**

yes no don't know not applicable

5. **Did you find the information session relevant to you or your work?**

(low) 1	2	3	4 (high)
Comments:			

6. **Was the presenter's delivery of the material effective?**

(low) 1	2	3	4 (high)
Comments:			

Any additional comments:

Would you like to be included in future OIC information updates? yes /no (please circle)

If yes, please provide your contact details below:

Name: _____ Organisation: _____ Position: _____

Email: _____ Phone: _____

Annexure B – Feedback from Metropolitan Roadshow

Date	Session Type	No of participants	No of feedback forms	Met Expectations No's 3 or 4	Understand Implications No's 3 or 4	More Confident No's 3 or 4	Relevance to Work No's 3 or 4	Presenter's Effectiveness No's 3 or 4	Overall % 3 or 4 (high)	No's worked with formal applications	% worked with formal applications	% feedback collected
19/10/2010	Sutherland - agency	22	12	11	12	9	12	12	93.33%	8	66.67%	54.55%
19/10/2010	Sutherland - public	8	5	5	5	4	3	5	88.00%	0	0.00%	62.50%
19/10/2010	Hurstville - agency	25	21	13	16	18	15	20	78.10%	8	38.10%	84.00%
19/10/2010	Hurstville - public	7	6	5	6	6	3	6	86.67%	1	16.67%	85.71%
27/08/2010	Penrith - agency	41	37	23	22	24	22	33	67.03%	15	40.54%	90.24%
27/08/2010	Penrith - public	12	12	7	9	8	8	12	73.33%	7	58.33%	100.00%
27/08/2010	Blacktown - agency	20	20	11	13	14	10	20	68.00%	9	45.00%	100.00%
27/08/2010	Blacktown - public	5	5	5	5	5	4	4	92.00%	0	0.00%	100.00%
9/11/2010	Campbelltown - agency	35	31	29	29	27	23	31	89.68%	23	74.19%	88.57%
9/11/2010	Campbelltown - public	7	7	7	7	7	5	7	94.29%	0	0.00%	100.00%
9/11/2010	Bankstown - agency	41	30	21	26	24	16	27	76.00%	12	40.00%	73.17%
9/11/2010	Bankstown - public	7	7	6	7	7	5	7	91.43%	0	0.00%	100.00%
23/11/2010	Parramatta - agency	115	85	65	75	60	65	76	80.24%	42	49.41%	73.91%
23/11/2010	Parramatta - public	15	12	12	12	12	10	12	96.67%	5	41.67%	80.00%
6/12/2010	Hornsby - agency	20	16	15	16	16	14	16	96.25%	9	56.25%	80.00%
6/12/2010	Hornsby - public	11	6	6	6	6	6	6	100.00%	1	16.67%	54.55%
6/12/2010	Castle Hill - agency	10	9	9	9	9	9	9	100.00%	7	77.78%	90.00%

Annexure B continued over the page

Annexure B - continued

Date	Session Type	No of participants	No of feedback forms	Met Expectations No's 3 or 4	Understand Implications No's 3 or 4	More Confident No's 3 or 4	Relevance to Work No's 3 or 4	Presenter's Effectiveness No's 3 or 4	Overall % 3 or 4 (high)	No's worked with formal applications	% worked with formal applications	% feedback collected
08/02/2011	Chatswood - agency	33	22	18	19	16	17	18	80%	16	72.73%	66.67%
08/02/2011	Chatswood -public	13	8	8	8	7	6	8	92.50%	1	12.50%	61.54%
22/02/2011	Gosford - agency	28	18	16	15	15	16	16	86.67%	12	66.67%	64.29%
22/02/2011	Gosford - public	9	8	8	8	8	6	8	95%	1	12.50%	88.89%
08/03/2011	Katoomba - agency	21	8	8	7	8	5	8	90%	4	50%	38.10%
08/03/2011	Katoomba - public	10	2	2	2	2	2	2	100%	1	50%	20%
23/03/2011	Sydney – agency am	63	25	22	23	23	15	23.5	85.20%	11	44%	39.68%
23/03/2011	Sydney – public am	37	27	25	25	24	23	26	91.11%	10	37.04%	72.97%
23/03/2011	Sydney – agency pm	63	31	25	25	26	24	27	81.94%	11	35.48%	49.21%
23/03/2011	Sydney – public pm	27	16	12	12	14	12	14	80%	5	31.25%	59.26%
Total		705	486	394	419	399	356	453.5	83.19%	219	38.28%	68.94%
Total – average or %		Av 26	Av 18	81%	86%	82%	73%	93%	83%	Av 8	38.28%	68.94%

Annexure C –comments from feedback forms

1. Comments in response to questions on the feedback form

Did the information session meet your expectations? (Met expectations)

- On a broad basis
- Not quite what I expected but good presentation
- Too broad information
- No it was based more updating our website
- Information pack very useful
- It was very generic information. I feel the main issues that have been identified should have been discussed.
- There was a bit more assumed knowledge than I had expected
- Very helpful, thanks
- Very clear
- Very brief
- Wasn't sure what to expect but very pleased
- More detailed would be better
- Broad overview
- I thought it would be more detailed
- I arrived late but learned a lot
- Better than I expected
- Informative.
- Seems to all be on website so not sure why session held.
- Better than expected
- Wasn't really sure what to expect
- No new information or guidance.
- Didn't have any expectations.
- Far too basic, was almost like a reading of the GIPA Act, would have been great in June 2010.
- Clear, concise, how to find further info.
- A good overview without going into too much detail.
- Very well done - easy to understand and comprehensive.
- Yes, very informative.
- The information focused on the work relating to processing applications not how GIPA Act affects agencies.

Did the information session help you understand the new right to information systems in NSW? (Understand Implications)

- On a broad basis.
- Again it was about updating website.
- Again, more assumed information. More background overview to what is required would have been more helpful.
- No further than the understanding I already had.
- Communication is the key.
- What info was presented was clear.
- Really clear and easy to understand.
- What would happen if an agency refused to release info despite recommendation of OIC? What options for the complainant?
- Not much was said in addition to info already gained from OIC website.
- Didn't tell me anything I didn't know.
- Had very low level of knowledge to start with.
- Information provided previously.
- It was much too basic for others.
- Yes it did but focused to new users.
- No exercise to see how it the GIPA act is applied.
- Yes, very informative.
- Very well.

Did the information session make you feel more confident in asking for government information? (More Confident)

- Not really.
- Yes it did.

- Still not sure 'what' and 'who' release info.
- Dealing with highly confidential info.
- Definitely more understanding now.
- Questions answered were insightful.
- Bit reticent about getting answers.
- Absolutely.
- Very much so.
- Question isn't relevant to government staff.

Did you find the information session relevant to you or your work? (Relevance to work)

- Not even close
- I am retired but may find it useful
- It could have been, but was about website
- Possibly, not sure as usually information is wanted from my agency
- It did not address the issues that are being dealt with
- Made me think about what (should) could be against public interest
- Can we do detail case studies later on when the statute is better understood please
- Very relevant, it would be great to focus on a more specific non-government agency
- Instead of regions would have preferred interest groups
- Very interesting, one never knows when the information may come in handy
- I am fairly new to my organisation and therefore am on a steep learning curve so I would like access to the Act
- Potentially as an org that passes info to other orgs in the human services area.
- DJAG general knowledge.
- Not directly but could in the future.
- Input into requests but not processing or decision-making.
- An advanced session on how to actually process applications would be more beneficial.
- Have been involved in FOI requests in the past.
- I only deal with phone enquiries.
- I have general interest only.
- Do not work with GIPA applications, just legislation and parliamentary reporting - CSO training on GIPAA Act more relevant.

Was the presenter's delivery of the material effective? (Presenters Effectiveness)

- Auditory troubles
- Very informative and all questions well answered
- On a broad basis
- Very enthusiastic presenter
- She spoke well and was knowledgeable about the Act
- Presenter was clear and very helpful
- Information & presentation was very informative around topic and questions asked
- Presenter was clear and very helpful
- Very helpful, all questions answered simply
- Clear and respectful to the audience
- Very effective
- I am so glad to see an independent agency to support the people with Government issues (with information and rights)
- Pleased to see Commissioner made the presentation.
- Went over info very quickly.
- At times difficult to hear at back, possibly speak a little slower.
- Believable
- Very clear & easily understood
- Apart from computer click, it was well presented.
- Clear voice, easy to understand, sound knowledge.
- There were some contradictions and reference to schedule 14 when it should have been section 12 (also used clauses for the items in Section 14 table).
- Very informative, clear and concise delivery, very professional, and also appreciated that she did not waste time.
- Very effective and clear presentation.
- Very, very effective.
- One of the best I've heard.

- Presenter spoke clearly. Good examples given to explain points on the screen.
- Very clear information delivery. Very knowledgeable on the subject.
- Pattern of speech was too fast to understand, when you have a hearing disability (not deafness related).
- Contrast on a couple of slides poor.
- But only after the microphone audio volume was increased.
- Excellent presentation.

2. Overall Comments

Presenter

- Brief, to the point, knowledgeable. Questions were well answered
- Presenter handled difficult questions tactfully and used soft entry answers wonderfully (nothing was 'no' or 'yes')
- Too fast delivery.
- Other speaker should be at front of the room and not at the back.
- Well pitched to audience. Friendly.
- Presenter good.
- Presenter very knowledgeable on the topic and able to answer all questions. Friendly and relaxed atmosphere.
- The presentation included a good combination of an overview of the Act/requirements together with a generous amount of question time - which is always a valuable source of information.
- Shirley was brilliant as the presenter.

Presentation:

Positive

- Excellent
- Clear, concise, good length of time
- The session was informative however a little too brief
- Very good
- This OIC afternoon was a good idea for the public to attend
- Excellent, presentation is very thorough
- Excellent presentation, much more relevant and high level than I expected
- Very good!
- Very informative and helpful.
- Presentation clarified procedures and opportunities for research and access and availability of information in the public arena.
- This was a good overall presentation of the GIPA Act.
- Very clear presentation.
- The presentation included a good combination of an overview of the Act/requirements together with a generous amount of question time - which is always a valuable source of information.
- An excellent presentation.
- Very clear and useful presentation, thank you.
- Good, clear, concise and relevant delivery of information for this process.
- Congratulations on good work (would not a truly open system provide combined info sessions for government and public - not segregated info sessions?).

Negative

- Could not hear her very well
- The presentation was limited in content. The advertised time frame of 1.5 hours did not eventuate
- Less text on slides, more slides (Big text)
- To be honest, it would have been just as beneficial for me to read this on your website instead of sitting through an hour's presentation.
- Having seen several presentations before, not a lot was new.
- This was a low level presentation for those of us experienced in formal applications. Would have liked more depth.
- Too many interjections from disgruntled individuals.
- Unhappy you started 1/2 an hour late with no explanation or apology. We made an effort to be here on time.
- Geared too much to agencies, for a session aimed at the public.

Examples

- Thought it may have included some examples of good and bad releases already
- It would have been helpful to have some specific examples of the various types of information

- Perhaps a bit more of the examples – templates/fact sheet
- Case studies/examples would have been helpful. This might have also brought out further discussion
- Possibly more information on detailed example. Though informative as a general overview
- More details and more examples would be better. Thank you.
- Examples of good practice for actual agencies would be good to see in this presentation.
- Examples needed to illustrate changes.

Web

- Translated information for website is important. Also a process involved in information request. Clear presentation. Where is everybody? (7 here)
- Should have been given the option of using OIC's website to go through the presentation.

Thank you

- Well done thanks
- Thank you.
- Thank you for your information.
- Thank you.

Question time

- Give people who ask questions the mike
- Question session was very useful.
- Session/questions very interesting.

Venue

- Sound system distracting
- Seating was too tight
- No parking. The venue opened the parking at 9.30am.
- Signage for meeting should have been provided, is this in information?
- Conference room was uncomfortably hot and the audio quality was static.
- Please choose another function centre where sign in isn't necessary as it was difficult for me to come in within 5 km of club.
- Choosing a club as the venue is a problem, I had to argue with security to get in because I live close by and I'm not a member of the club.
- Room air-conditioning wasn't working, made it hard to concentrate. Probably also reflected in scores.
- Venue very basic (poor air-conditioning) - suggest Wesley Centre nearby.

Knowledge/understanding required

- Work for head of property management authority. Worthwhile to know whether info needs to be provided to Trusts.

Suggestions

- The information needed to be agency-based.
- The information session for agencies should identify and address the main issues that we are all working through. I think this session was too generic
- Would've been worthwhile to run these sessions much earlier in the year i.e. closer to July rather than six months after GIPA Act came into effect
- Further info about compliance
- More scenario-based Q&A would have been helpful but good introduction.
- Info about parties would have been useful.
- I thought it could have addressed much more detailed Q&A session, examples etc.
- Need guidance for local government in copyright and development applications. Look forward to your information advices.
- Perhaps shorter presentation and longer Q & A session.
- Suggest presentation cover the GIPA act interaction with PPIPA Act.
- Need better guidance - a manual or/and advanced training for practitioners.

General

- Glad I saw the ad in The Leader, otherwise wouldn't have known about this new office or its role (nor the legislation)
- Was hoping that Information Commissioner would be present as well!
- Glad I have the material and info to share with other works

- I did not find this very informative in relation to our specific work (Police). We get numerous requests for information however we have our own departmental rules. This did not make it clear for us as to where we stand
- Very informative
- I hadn't heard of these changes before today
- Most of the information I already knew
- Very interesting
- How would you define public interest in relation to timeline – future?
- There was no information that I could not have got from the OIC website or that has already been communicated within my business
- Details about specific cases are needed. Got to read the Act on your website
- Hard topic to deliver
- I hope local councils encompass this new legislation and comply willingly
- This session should have included identifying problems such as copyright whereby an agency might only provide opportunity to view the information, not provide a copy
- Thank you. Interested in info in different languages
- Very relevant, it would be great to focus on a more specific non-government agency
- Instead of regions would have preferred interest groups
- It will be advantageous when the deliberations that were mentioned (eg. copyright) are finally resolved. It was good to see how the Act will be applied
- Would have liked an introduction of who else was in the room
- It is great that training tools are available
- Implementation of this effectively would require additional resources to be allocated into our agency
- Additional resources will be required for an agency to effectively implement GIPA Act.
- I have found my local council is not transparent.
- Legal professional privilege discussion particularly useful and interesting.

OIC

- OIC has been a big help and their program on getting the message out there is commendable
- Staff at OIC are brilliant always helpful, knowledge outstanding – thanks
- For the job required to be done, the OIC is under staffed
- Deficiency in not knowing the political context of the Act, if no bipartisan support, the Act could be changed or abolished after March 2011
- What is the role of OIC in not meeting applicant request? Eg. in ICAC?
- Proactive release / website management.
- The agency I work for received several letters re this roadshow, 5 of which were after the RSVP
- Having the continued support from the OIC is good.
- OIC website and regular email updates v good and useful.
- Need to state actual range of \$ for processing fees.

Annexure D – feedback/ questions log by venue

Sutherland

Agency session (22 people attended)

- Question about storage of things such as post it notes, text messages
- Does GIPA Act affect the destruction of information in accordance with the State Records Act?
- Has the State Records Act been amended to include new technology such as text messages? (Another attendee answered that it is any information held in any record – so it includes new technology)
- A council has refused to provide access to legal information in response to an access application - now they have received another request worded differently for essentially the same thing – what can they do?
- Is there an avenue for dealing with "frequent flyers"?
- Question about the cost of producing information
- Is there a means test for fee reduction/waiver?
- What about internal working documents?
- Question about dealing with access applications relating to neighbourhood disputes
- Personal information – is there a threshold where an informal application should become a formal application?
- What does an agency do if they do not have the storage available to keep information out from archives for the six-month access period following provision to an applicant?
- What is the OIC's position with regard to changes to the GIPA Act? Follow up comment to the above question – a council member wants the legislation changed because in their view six months is inappropriately long.
- Pecuniary interests – why aren't MPs included here?
- Is there going to be any formalised monitoring of informal release?
- GIPA Tool – someone concerned about having to accept the RTA's privacy agreement to use the software.

Public session (8 people attended)

- Who decides what information goes out?
- Is it only information over \$150,000 that goes out? (Misconception about distinction between requirements of contracts register and information release in general)
- Confirmed that contracts register is only for contracts after 1 July for councils
- NGO was present asking if they qualify as a private contractor and have to make their information available to the agency
- Someone wanted more information on what information cannot be accessed
- Someone skeptical saying that ministers will influence decisions
- Someone else skeptical saying that the term "public interest" has been used to hide "shonky deals"
- How does the GIPA Act affect media?
- What about the National Health System – how does that affect getting health information?

Hurstville

Agency session (25 people attended)

- Council receives request for information (details of unknown neighbour) – what is the correct procedure to follow when dealing with such a request?
- When deciding what might be an unreasonable diversion of resources, how much is too much time? (eg. before requesting a formal application)
- Will today's slide show be available on the OIC's website?
- Without divulging names, what type of reviews has the OIC dealt with so far?
- What would happen if an agency did release information about another person without their consent?
- How does the OIC feel local councils are performing since commencement?
- Can we schedule time with an officer at the OIC to come into the office and discuss specific matters?
- Is there any update on the copyright advice that has been sought by the OIC?

Public session (7 people attended)

- What agencies do the OIC cover?
- If the OIC is independent and not responsible to any Minister, who reviews the functions/performance of the agency?
- Is the PowerPoint presentation available online?

- What is considered information that an agency holds?
- Does information automatically become publicly available when it is released to an individual? (Relating to the disclosure log)
- How does an individual make an application (and where is it sent)
- General comment that not everyone has the internet (particularly older demographic)
- How many agencies are there in NSW?
- Disclosure log – profiles of people (concerns around who is applying for information)
- What if the agency an application is sent to doesn't hold the information?
- What are the types of recommendations the OIC can make when reviewing a decision?
- Requesting information can often be an emotional experience – how does an applicant know what to apply for?
- If a person does get information, but believes there is missing information, what can the applicant do?
- Where is the OIC located?
- What is the equivalent body to the OIC at the Commonwealth level?

Blacktown

Agency session (20 people attended)

Questions asked:

- Is the agency required to tell applicants the information will go on the disclosure log?
- Is disclosure log for formal or informal or both?
- Is copy of the GIPA act on OIC site?
- To what extent have you noticed cultural change in agencies?
- Proactive release of information - can you give some examples
- What is someone is asking for information where there is copyright involved?
- Are you encouraging agencies to apply the creative commons licence?
- What do I do when people come to the Police station asking for copies of my reports?
- What about statistical information we hold? Should this be proactive release?
- Does GIPA affect our interagency agreements (MOU) for exchange of information/transfer of personal information? Do we need to consult? Does GIPA apply?
- What is the OIC's view on people seeking information just for commercial benefit (on-sell information to others)?
- Do you charge the same amount as it will cost to compile the information?
- What about some councils making decisions one way and others making it another way? How will these dilemmas be resolved?
- How are OIC and Privacy working together?
- The information button and just saying Right to Information is not necessarily meaningful.
- How about you say "access to information" on websites instead?
- Providing criminal records to other agencies – eg. Community Services – and whether they would now need to do a third party consultation with the people named in those records

Public session (5 people attended: 3 had also attended agency session – two from agencies, one member of public)

Questions asked:

- Can you give examples of what you mean by information?
- What about Police? They are pretty closed aren't they?
- How many staff does OIC have?
- What is your relationship with the Ombudsman?
- What about information in reports before Courts?
- What about when you get a document with most of it blocked out? What can you do?
- Do we have the right to ask why something is being declined because of Commercial in Confidence or public interest?
- What if they just say "it's policy" not to release?

Penrith

Agency session (41 people attended)

- What does 'public interest' mean? Will the OIC release a definition?
- If an applicant requests information about an investigation, can I give the applicant their whole file?
- If a request is simple, can I deal with it informally?
- If someone seeks information that is labeled 'confidential' do I have to take that into account?
- How does GIPA apply to a private hospital that takes public patients?

- Feedback – the templates on the OIC's website are out-of-date and have issues with weird numbers / references.

Public session (11 people attended)

- I'm a solicitor and I often act for clients who have had a car crash. Can I now ask for information about the crash informally and for free?
- Are there special rules that apply to police?
- Is there still a processing charge?
- Where can I find an application form to request information?
- What if 20 days is too long? Eg. if a DA is put up for comment and is incomplete and I have to request the additional information - if it takes the 20 days I won't be able to lodge an objection in time.

Campbelltown

Agency session (35 people attended)

- Given the volatile nature of politics, can you let me know if the passing of the GIPA law had bipartisan support in the House?
- My agency is recording all informal applications for information. Is this a requirement?
- Can you charge for informal requests for information?
- You've listed where you want agencies to be at this stage but what happens if we're not where you want us to be?
- Is the term 'sensitive personal information' defined?
- Do we need to report on the numbers of disclosures (informal, proactive etc)?
- Who decides what is commercial-in-confidence?
- How does GIPA override other acts such as the Companion Animals Act?
- Has a decision been made by the Information Commissioner about copies of DAs, plans and copyright?

Public session (7 people attended)

- What information do agencies have to disclose?
- If another service provider wants information about an NGO's contracts or tender documents can they get this? (Basically one NGO was trying to get the tender documents from another NGO)
- How do you class not-for-profits?
- Can an agency release information about a Not-for-Profit's tender or contract?
- Can you apply for information from pre 1 July 2010?
- Who determines the public interest?
- What happens when an agency's idea of what is in the public interest differs from what the applicant thinks is in the public interest? For example issues around child protection may need to be known...
- The public interest test is not independent so can we go to an independent body?
- Can I ask an agency for information about discrimination in employment? (ie. the statistics that an agency is reporting are not correct)
- What happens when you request raw data and the agency is not willing to give it?

Parramatta

AM: Agency session (80 people attended)

- Does OIC only deal with complaints about accessing government information?
- How does the OIC fit in with the Ombudsman?
- Does the OIC website have a list of the numbers of reviews and complaints received per agency?
- What does the agency need to provide to substantiate their decision in relation to a formal access application? (Comment also made that some agencies do not have an electronic system, therefore it would be difficult to provide the OIC with all the information required)
- Does the OIC have the power make enforceable decisions? (This was asked at every session)
- When the OIC makes recommendations, are the other Acts that govern the agency taken into account?
- What are the relevant time limits (for agencies) regarding making decisions on informal and formal applications, and also what are the timeframes for review rights of applicants?
- When will OIC combine with Privacy NSW?

AM: Public session (8 people attended)

- If a post-it note attached in a file is considered government information, what would stop someone from removing it?
- Would (work) diary entries be considered government information?

- Does a reason have to be given as to why an informal request is being lodged?
- What is considered a reasonable charge?
- Is there legislation that overrides the GIPA Act?
- What is the difference between information that is sensitive/personal and information that would cause embarrassment to the Government?
- What does 'commercial in confidence' mean?
- Can an applicant go straight to an external review with the OIC after a decision has been given? (i.e. not ask first for an internal review)
- Can advocates and carers act on behalf of an applicant?
- How can personal information be amended under the GIPA Act?
- What are the penalties for non-compliance with GIPA legislation?

PM: Agency session (35 people attended)

- In relation to the public interest test, can only one person be taken into account?
- What are the third party's rights in relation to an access application?
- What can the OIC do if the information has not been asked for under GIPA (eg. another way, or magistrate has decided that information should not be released)
- Disclosure of government information might cause embarrassment to the Government is irrelevant and cannot be taken into account in the public interest test determination - what if a Minister is caught doing something wrong in Government premises?
- What would happen if the OIC made certain recommendations but the agency does not follow them?

PM: Public session (Seven people attended)

- How often does the OIC report to the Parliamentary Committee?
- What is an agency?
- Is the disclosure log required only for formal applications?

Hornsby

Agency session (20 people attended)

- GIPA request from applicant who has already been provided the same information under FOI. Asked for advice on how to deal with such an application.
- Implications of a general state of mind following Wikileaks – will less information be documented by agencies?
- Staff experiencing difficulties requesting capability reports internally from HR. Could GIPA be used to support this process?
- How can agencies cover the costs of retrieving files when responding to informal requests?
- Can the OIC see a culture without the potential need for an intranet?
- Under GIPA how accountable is a company that is engaged with public money?
- 'Personal affairs' is reportedly being taken out of Privacy & Personal Information Protection Act (PPIPA) – when will this be happening?
- Will there be a Roadshow for PPIPA?

Public session (11 people attended)

- Specific question asking what agency is accountable for a particular occurrence?
- What is the Commissioner's role exactly?
- How can I protect my privacy?
- How can I access personal information from a private hospital?
- How can I access personal information about a deceased person?
- Will the term FOI ever disappear?
- How is the Lifesaving Association covered by the Act?
- Issues around the type of stories the local council run in the media.
- Local newspapers won't run general interest stories in the same publication the council advertises in.
- What is the staff size of the OIC?
- Does the OIC see tension from the amalgamation of the OIC & NSW Privacy?
- What facilitated the joining of OIC and Privacy?

Castle Hill**Agency session (10 people attended)**

- What would you suggest when the media contact you at 10am wanting loads of information for print deadline that day at 4pm?
- Is the GIPA legislation retrospective?
- Query about what is reasonable diversion of resources to research and retrieve information for just one person
- When request for information involves searching for and retrieving old documents, can you pass on the cost to the person?
- Are submission details (for development applications) to be put up on the web?
- What is a reasonable timeframe for getting information (eg. if something which relates back to the 1980s)?
- Is there a timeframe for response to a request for information?
- Can people ask to come in and view a document that day?

Chatswood**Agency session (33 people attended)**

- Question about contract information - how much should be released?
- What does the Privacy Commission do?
- If someone writes a letter to council, can they impose confidentiality on that letter?
- What if the application for information relates to legal proceedings?
- What about the Health Records and Information Privacy Act (HRIPA)?

Public session (13 people attended)

- What timeframes do agencies have to release information?
- Who does the OIC make recommendations to?
- Information in relation to public funds? Must the public be able to access it?
- Wants to access information about assaults in a prison that is operated by a private contractor. Can he do this?
- Does the disclosure log include all my requests for information?
- Does our Act cover federal agencies too?
- Do processing charges apply under GIPA?
- Can the OIC's officers be audited if another agency's information has been disclosed by the OIC?
- Who can investigate the OIC?
- What if the information received is inaccurate?
- So the OIC is an intermediary between the public and agencies?
- Who does the OIC answer to? The Attorney General?
- Is health records a consideration in the public interest test?
- Is copyright a reason for something not to be disclosed?
- What is the public interest?
- What if agencies destroy information?
- How can the OIC enter an agency without notice if the OIC doesn't have the staff to do so?
- How does the OIC interact with the Auditor General?
- Is there a danger of there being too many overlays/different agencies dealing with the same issue?
- What happens if something is published that should not have been? Can the OIC get an injunction for it to be taken off the website immediately?
- Sperm donor information not included in schedule 1.
- Does the GIPA Act cover information that predates GIPA?
- Asking about information about adoption procedures vs. specific adoption enquiries. How does that work?

Gosford**Agency session (28 people attended)**

- 2 x questions about Copyright material
- I presume the GIPA Act is not influenced by what happens with the information after its release?
- How responsible are agencies for information they release?
- What about fees and charges?
- Question about internal reviews – can you charge extra for processing charges, on top of the \$40 fee?
- If a document has been destroyed, do we have to search back-ups etc? What are the boundaries of a 'reasonable search'?
- Is there any government information not accessible?

- Does the act cover issues to do with watermarking/legibility etc?
- For contracts 1, 2 and 3 – what contracts should be on website? Definition of tender as opposed to Government contract?
- What about the responsibility of an external contractor?

Public session (9 people attended)

- Are principal certifying officers classed as an agency?
- Is there a definition of 'information'? In regards to DA's under part 12 – councils were required to disclose decision process – is this the same in GIPA?
- Definitions: please define commercial in confidence
- Is the legislation retrospective?
- 3rd party consultation – is this in the Act?
- How does the ADT work? What costs are involved etc?
- Please clarify agencies – a community organisation funded by the government, are we an agency?
- Are you only in 1 physical location?
- You must be relying heavily on change in attitudes in certain agencies/people
- One attendee said he has been involved with a community group for yrs working with DA's etc, and he was very positive about change in local council.
- An attendee suggested councils should have a template that has personal/sensitive information attached.

Katoomba

Agency session (21 people attended)

- Please elaborate on what 'legal professional privilege' means
- What if information has been given out (by an agency) under the GIPA Act and it shouldn't have been, what course of action can be taken against officer/agency?
- What if third party objects to information being released?
- Is there an obligation to tell a third party that it has been decided that information is to be released?
- Is there an obligation to consult with a local council committee for information that has been requested that they have deliberated on during a meeting?
- What if document(s) asked for is only a draft/working document? Can they ask applicant to put in a formal access application for it?
- What is the progress on the OIC consultation paper?

Public session (10 people attended)

- Who do I go to if I have a complaint about the OIC?
- Does the OIC have powers to enforce compliance (with the GIPA Act)?
- How is 'reasonable cost' determined?
- How do I find out what information Council holds? What if they claim the information has been destroyed?
- Can you ask about information that has been blocked out/removed?
- Does the discount only apply to processing charges?
- Does the 20 working days relate to the time given for the agency to decide whether or not to release information or the time given for the agency to identify the information?
- If I go to the ADT and am not happy with the decision made, can I go to the Supreme Court?
- Can you please explain more about the disclosure log?
- Does the OIC have powers that the Ombudsman doesn't have?
- How many people work at the OIC?
- Can an agency charge photocopying charges?
- Can I just ask to view the documents?

Sydney

AM: Agency session (59 people attended)

- Does the OIC have an outline of our agency audit program?
- Specific question about the confidentiality requirements and how much information the agency should release as the agency gets frequent information requests re investigations they carry out?
- How to protect information held by Minister's offices, which is not cabinet information if there is a change of government?

- Is there OIC guidance and assistance to help agencies with the proactive disclosure 'scheme(s)' and in relation to the register of open access information not released? How can consistency be maintained with respect to the latter across agencies?

AM: Public session (37 people attended)

- Can the fee for the formal applications be reduced?
- Offence provisions under the Act - can an applicant be charged under these provisions?
- Application fees - where are the discount provisions in the Act?
- 'Records' under the Act - does this include emails?
- Has past experience with FOI which has been difficult- how is the OIC changing/helping access to government information?
- Is the expectation with the reforms that the Act will be used as a watchdog against corruption?
- What details need to be included in the disclosure log?
- What advice can OIC give to public?

PM: Agency session (62 people attended)

- Do Right to Information Officers (RIOs) decide applications in isolation from the rest of the agency?
- Contracts - when do they need to be published?
- Is there a list of open access information?
- Does GIPA cover schools?
- Third party consultations. If they receive repeated requests for the same third party info do they need to consult in every case?
- Does the disclosure log record applications, not the actual information?
- What is the intent of a disclosure log?
- Wants practical examples of where 'responsible government' may be used as a consideration against disclosure.
- Wants to know more about the investigative role of the OIC. Does it look into issues that may be raised in the media?

PM: Public session (27 people attended)

- When accessing information, if there is a fee, who calculates this fee and will the applicant be told of the fee?
- Are regional planning panels agencies under the Act?
- Are there any examples of prejudice to business interest?
- Has the OIC published any guidelines for publishing information/providing access?
- Can other government agencies (such as the ATO) use GIPA to get information about people from other government agencies?
- What's the OIC view on agencies refusing to accept informal requests and require access applications?
- Observation made by an agency attendee - some applications require significant resources and funds, it's not only agencies who have to act in the spirit of the act but also applicants.

Annexure E – questions asked by topic

The Act

- Does GIPA Act affect the destruction of information in accordance with the State Records Act?
- How does the GIPA Act affect media?
- What is the OIC's position with regard to changes to the GIPA Act? Follow up comment to the above question - a council member wants the legislation changed because in their view six months is inappropriately long.
- What is considered information that an agency holds?
- Does GIPA affect our interagency agreements (MOU) for exchange of information Transfer of personal information? Do we need to consult? Does GIPA apply?)
- How does GIPA override other acts such as the Companion Animals Act?
- Given the volatile nature of politics, can you let me know if the passing of the GIPA law had bipartisan support in the House? (
- Is there legislation that overrides the GIPA Act?
- What is an agency?
- Is the GIPA legislation retrospective?
- How is the Lifesaving Association covered by the Act?
- Under GIPA how accountable is a company that is engaged with public money?
- Will the term FOI ever disappear?
- What information do agencies have to disclose?
- Proactive release of information - can you give some examples
- Can you give examples of what you mean by information?
- My agency is recording all informal applications for information. Is this a requirement?
- What is the difference between information that is sensitive/personal and information that would cause embarrassment to the Government?
- Does the Act cover federal agencies too?
- Sperm donor information not included in schedule 1.
- Does the GIPA Act cover information that predates GIPA?
- Asking about information about adoption procedures vs. specific adoption enquiries. how does that work?
- Does the act cover issues to do with watermarking/legibility etc?
- Are principal certifying officers classed as an agency?
- Is there a definition of 'information'? in regards to DA's under part 12 – councils were required to disclose decision process – is this the same in GIPA?
- Definitions: please define commercial in confidence
- Is the legislation retrospective?
- 3rd party consultation – is this in the Act?
- Please clarify agencies – a community organisation funded by the government, are we an agency?
- Please elaborate on what 'legal professional privilege' means
- Offence provisions under the Act - can an applicant be charged under these provisions?
- Application fees - where are the discount provisions in the Act?
- 'Records' under the Act - does this include emails?
- Is the expectation with the reforms that the Act will be used as a watchdog against corruption?
- Disclosure of government information might cause embarrassment to the Government is irrelevant and cannot be taken into account in the public interest test determination - what if a Minister is caught doing something wrong in Government premises?
- Does GIPA cover schools?
- Are regional planning panels agencies under the Act?

The 'accessing information process'

- Who decides what information goes out?
- Someone wanted more information on what information cannot be accessed
- Is there an avenue for dealing with "frequent flyers"?
- Question about storage of things such as post it notes, text messages
- Has the State Records Act been amended to include new technology such as text messages? (Another attendee answered that it is any information held in any record - so it includes new technology)
- What about internal working documents?
- Is there going to be any formalised monitoring of informal release?

- Does information automatically become publicly available when it is released to an individual? (Relating to the disclosure log)
- How does an individual make an application (and where is it sent)
- If a person does get information, but believes there is missing information, what can the applicant do?
- Requesting information can often be an emotional experience – how does an applicant know what to apply for?
- What if someone is asking for information where there is copyright involved?
- What about information in reports before Courts?
- What would happen if an agency did release information about another person without their consent?
- Do we have the right to ask why something is being declined because of Commercial in Confidence or public interest?
- If an applicant requests information about an investigation, can I give the applicant their whole file?
- If a request is simple, can I deal with it informally?
- If someone seeks information that is labeled 'confidential' do I have to take that into account?
- I'm a solicitor and I often act for clients who have had a car crash. Can I now ask for information about the crash informally and for free?
- What if 20 days is too long? Eg. if a DA is put up for comment and is incomplete and I have to request the additional information - if it takes the 20 days I won't be able to lodge an objection in time.
- Can you apply for information from pre 1 July 2010?
- How do you class not-for-profits?
- What are the third party's rights in relation to an access application?
- If a post it note attached in a file is considered government information, what would stop someone from removing it?
- Would (work) diary entries be considered government information?
- Does a reason have to be given as to why an informal request is being lodged?
- What does 'commercial in confidence' mean?
- Can advocates and carers act on behalf of an applicant?
- GIPA request from applicant who has already been provided the same information under FOI. Asked for advice on how to deal with such an application.
- Someone skeptical saying that ministers will influence decisions
- How can I access personal information about a deceased person?
- What happens when you request raw data and the agency is not willing to give it?
- Can I ask an agency for information about discrimination in employment? (i.e. the statistics that an agency is reporting are not correct)
- Is it only information over \$150,000 that goes out? (Misconception about distinction between requirements of contracts register and information release in general)
- NGO was present asking if they qualify as a private contractor and have to make their information available to the agency
- What if the agency an application is sent to doesn't hold the information?
- What about statistical information we hold? Should this be proactive release?
- Are you encouraging agencies to apply the creative commons license?
- Do we need to report on the numbers of disclosures (informal, proactive etc)?
- Pecuniary interests - why aren't mp's included here?
- What are the relevant time limits (for agencies) regarding making decisions on informal and formal applications, and also what are the timeframes for review rights of applicants?
- Staff experiencing difficulties requesting capability reports internally from HR. Could GIPA be used to support this process?
- Query about what is reasonable diversion of resources to research and retrieve information for just one person
- Can people ask to come in and view a document that day?
- Who decides what is commercial-in-confidence?
- What if the application for information relates to legal proceedings?
- What timeframes do agencies have to release information?
- Information in relation to public funds? Must the public be able to access it?
- Wants to access information about assaults in a prison that is operated by a private contractor. Can he do this?
- What if the information received is inaccurate?
- Is copyright a reason for something not to be disclosed?
- Is there a danger of there being too many overlays/different agencies dealing with the same issue?
- 2 x questions about Copyright material
- I presume the GIPA Act is not influenced by what happens with the information after its release?
- How responsible are agencies for information they release?
- If a document has been destroyed, do we have to search back-ups etc? What are the boundaries of a 'reasonable search'?

- Is there any government information not accessible?
- Is there an obligation to tell a third party that it has been decided that information is to be released?
- What if document(s) asked for is only a draft/working document? Can they ask applicant to put in a formal access application for it?
- Can you ask about information that has been blocked out/removed?
- Does the 20 working days relate to the time given for the agency to decide whether or not to release information or the time given for the agency to identify the information?
- Can an agency charge photocopying charges?
- Can I just ask to view the documents?
- Specific question about the confidentiality requirements and how much information the agency should release as the agency gets frequent information requests re investigations they carry out?
- Do RIOs decide applications in isolation from the rest of the agency?
- Is there a list of open access information?
- Third party consultations. If they receive repeated requests for the same third party info do they need to consult in every case?
- Are there any examples of prejudice to business interest?
- Can other government agencies (such as the ATO) use GIPA to get information about people from other government agencies?
- What's the OIC view on agencies refusing to accept informal requests and require access applications?
- Observation made by an agency attendee - some applications require significant resources and funds, it's not only agencies who have to act in the spirit of the act but also applicants.

Compliance

- What if they just say "it's policy" not to release?
- You've listed where you want agencies to be at this stage but what happens if we're not where you want us to be?
- What are the penalties for non-compliance with GIPA legislation?
- What if agencies destroy information?
- How can the OIC enter an agency without notice if the OIC doesn't have the staff to do so?
- What happens if something is published that should not have been? Can the OIC get an injunction for it to be taken off the website immediately?
- Does the OIC have an outline of the agency audit program?

Reviews

- What about when you get a document with most of it blocked out? What can you do?
- Can an applicant go straight to an external review with the OIC after a decision has been given? (i.e. not ask first for an internal review)
- Without divulging names, what type of reviews has the OIC dealt with so far?
- What are the types of recommendations the OIC can make when reviewing a decision?
- Who does the OIC make recommendations to?
- Question about internal reviews – can you charge extra for processing charges, on top of the \$40 fee?
- How does the ADT work? What costs are involved etc?
- What if information has been given out (by an agency) under the GIPA Act and it shouldn't have been, what course of action can be taken against officer/agency?
- What if third party objects to information being released?
- If I go to the ADT and am not happy with the decision made, can I go to the Supreme Court?
- What's the OIC review process?

Public interest

- Someone else skeptical saying that the term "public interest" has been used to hide "shonky deals"
- What does 'public interest' mean? Will the OIC release a definition?
- The public interest test is not independent so can we go to an independent body?
- Who determines the public interest?
- What happens when an agency's idea of what is in the public interest differs from what the applicant thinks is in the public interest? For example issues around child protection may need to be known...
- In relation to the public interest test, can only one person be taken into account?
- Are health records a consideration in the public interest test?

- What is the public interest?

Charges/costs

- Question about the cost of producing information
- Is there a means test for fee reduction/waiver?
- When deciding what might be an unreasonable diversion of resources, how much is too much time? (e.g. before requesting a formal application)
- Do you charge the same amount as it will cost to compile the information?
- Where can I find an application form to request information?
- Is there still a processing charge?
- Can you charge for informal requests for information?
- What is considered a reasonable charge?
- How can agencies cover the costs of retrieving files when responding to informal requests?
- When request for information involves searching for and retrieving old documents, can you pass on the cost to the person?
- Do processing charges apply under GIPA?
- What about fees and charges?
- How is 'reasonable cost' determined?
- Does the discount only apply to processing charges?
- Can the fee for the formal applications be reduced?
- When accessing information, if there is a fee, who calculates this fee and will the applicant be told of the fee?

Contracts

- Confirmed that contracts register is only for contracts after 1 July for councils
- If another service provider wants information about an NGO's contracts or tender documents can they get this? (Basically one NGO was trying to get the tender documents from another NGO)
- Can an agency release information about a NFP's tender or contract?
- Question about contract information - how much should be released?
- For contracts 1, 2 and 3 – what contracts should be on website? Definition on tender as opposed to Government contract?
- What about the responsibility of an external contractor?
- Contracts - when do they need to be published?

Local government

- A council has refused to provide access to legal information in response to an access application - now they have received another request worded differently for essentially the same thing - what can they do?
- What does an agency do if they do not have the storage available to keep information out from archives for the six-month access period following provision to an applicant?
- Question about dealing with access applications relating to neighbourhood disputes
- Council receives request for information (details of unknown neighbour) – what is the correct procedure to follow when dealing with such a request?
- How does the OIC feel local councils are performing since commencement?
- What about some councils making decisions one way and others making it another way? How will these dilemmas be resolved?
- Has a decision been made by the Information Commissioner about copies of DAs, plans and copyright?
- What does the agency need to provide to substantiate their decision in relation to a formal access application? (Comment also made that some agencies do not have an electronic system, therefore it would be difficult to provide the OIC with all the information required)
- Two agency staff said they had not heard anything about the GIPA Act within their agency - one had seen the roadshow advertisement in the paper and the other had seen some information on local Council's website
- Issues around the type of stories the local council run in the media.
- Local newspapers won't run general interest stories in the same publication the council advertises in.
- If someone writes a letter to council, can they impose confidentiality on that letter?
- One attendee said he has been involved with a community group for yrs working with DA's etc, and he was very positive about change in local council.
- An attendee suggested councils should have a template that has personal/sensitive information attached.

- Is there an obligation to consult with a local council committee for information that has been requested that they have deliberated on during a meeting?
- How do I find out what information Council holds? What if they claim the information has been destroyed?

Timeframe

- What is a reasonable timeframe for getting information (eg. if something which relates back to the 1980s)?
- Is there a timeframe for response to a request for information?
- What would you suggest when the media contact you at 10am, wanting loads of information for print deadline that day at 4pm?

Website and accessibility

- General comment that not everyone has the internet (particularly older demographic)
- Is copy of the GIPA act on OIC site?
- The information button and just saying Right to Information is not necessarily meaningful. How about you say "access to information" on websites instead?
- Feedback - the templates on the OIC's website are out of date and have issues with weird numbers / references
- Does the OIC website have a list of the numbers of reviews and complaints received per agency?
- Can the OIC see a culture without the potential need for an intranet?
- Are submission details (for development applications) to be put up on the web?

Privacy

- Personal information - is there a threshold where an informal application should become a formal application?
- How can personal information be amended under the GIPA Act?
- Is the term 'sensitive personal information' defined?
- How can I protect my privacy?
- 'Personal affairs' is reportedly being taken out of PPIPA – when will this be happening?
- Will there be a Roadshow for PPIPA?
- What does the Privacy Commission do?

Health

- What about the National Health System - how does that affect getting health information?
- How can I access personal information from a private hospital?
- How does GIPA apply to a private hospital that takes public patients?
- What about the HRIPA Act?

OIC

- What agencies do the OIC cover?
- If the OIC is independent and not responsible to any Minister, who reviews the functions/performance of the agency?
- Is there any update on the copyright advice that has been sought by the OIC?
- What is the equivalent body to the OIC at the Commonwealth level?
- Where is the OIC located?
- What is your relationship with the Ombudsman?
- How many staff does OIC have?
- What is the OIC's view on people seeking information just for commercial benefit (on self-information to others)?
- How are OIC & Privacy working together?
- Does OIC only deal with complaints about accessing government information?
- How does the OIC fit in with the Ombudsman?
- Does the OIC have the power to make enforceable decisions? (This was asked at every session)
- When the OIC makes recommendations, are the other Acts that govern the agency taken into account?
- When will OIC combine with Privacy NSW?
- How often does the OIC report to the Parliamentary Committee?
- What would happen if the OIC made certain recommendations but the agency does not follow them?
- What can the OIC do if the information has not been asked for under GIPA (eg another way, or magistrate has decided that information should not be released)
- Does the OIC see tension from the amalgamation of the OIC & NSW Privacy?
- What is the staff size of the OIC?

- What facilitated the joining of OIC & Privacy?
- What is the Commissioner's role exactly?
- Can the OIC's officers be audited if another agency's information has been disclosed by the OIC?
- Who can investigate the OIC?
- So the OIC is an intermediary between the public and agencies?
- Who does the OIC answer to? The Attorney General?
- How does the OIC interact with the Auditor General?
- Are you only in 1 physical location?
- What is the progress on the OIC consultation paper?
- Who do I go to if I have a complaint about the OIC?
- Does the OIC have powers to enforce compliance (with the GIPA Act)?
- Does the OIC have powers that the Ombudsman doesn't have?
- How many people work at the OIC?
- Has past experience with FOI which has been difficult- how is the OIC changing/helping access to government information?
- What advice can OIC give to public?
- Wants to know more about the investigative role of the OIC. Do we look into issues that may be raised in the media?
- Has the OIC published any guidelines for publishing information/providing access?

Requests for further OIC resources/support material

- Can we schedule time with an officer at the OIC to come into the office and discuss specific matters?
- Will today's slide show be available on the OIC's website?
- Is the PowerPoint presentation available online?
- Is there OIC guidance and assistance to help agencies with the proactive disclosure 'scheme(s)' and in relation to the register of open access information not released? How can consistency be maintained with respect to the latter across agencies?

Disclosure Log

- Is the agency required to tell applicants the information will go on the disclosure log?
- Is disclosure log for formal or informal or both?
- Disclosure log – profiles of people (concerns around who is applying for information)
- Is the disclosure log required only for formal applications?
-
- Does the disclosure log include all my requests for information?
- Can you please explain more about the disclosure log?
- What details need to be included in the disclosure log?
- Does the disclosure log record applications, not the actual information?
- What is the intent of a disclosure log?
- Wants practical examples of where 'responsible government' may be used as a consideration against disclosure

Police

- What do I do when people come to the Police station asking for copies of my reports?
- Providing criminal records to other agencies – eg. community services - and whether they would now need to do a third party consultation with the people named in those records.
- What about Police? They are pretty closed aren't they?
- Are there special rules that apply to police?

Other

- How many agencies are there in NSW?
- To what extent have you noticed cultural change in agencies?
- Implications of a general state of mind flowing Wikileaks – will less information be documented by agencies?
- GIPA Tool – someone concerned about having to accept the RTA's privacy agreement to use the software.
- You must be relying heavily on change in attitudes in certain agencies/people
- How to protect information held by Minister's offices, which is not cabinet information if there is a change of government?



Annexure F - Draft Survey for the 2011 – 2012 GIPA Seminar Series hosted by the Office of the Information Commissioner

We want your help in identifying seminar topics to encourage an open government culture and ensure compliance with right to information laws. Please complete this survey and return it to the OIC by **Friday 17 June 2011**.

During 2010 and 2011 the OIC raised awareness of the *Government Information (Public Access) Act* (GIPA Act) with a Right to Information Roadshow held throughout NSW.

In 2011 and 2012 the OIC plans to conduct seminars on specific aspects of the GIPA Act. These will be for two hours and held about every two months.

1. **Are you interested in attending seminars on specific aspects of the GIPA Act? (Please select)**

Yes: No:

2. **Possible topics – please indicate your interest in priority order:** (number 1-9)

- The overlap between information & privacy rights in NSW
- How the OIC undertakes reviews
- Applying the public interest test
- Consulting with third parties
- Recording & communicating your decisions under GIPA
- Managing relationships with applicants
- Fees and charges
- Copyright and compliance with GIPA
- Review processes

3. **Other – please nominate additional topic areas of interest:**

4. **Which target audience group best applies to you?**

- Right to information officer
- Records management
- Information management
- Legal officer
- Frontline
- Other (briefly detail)

Your name:

Agency:

Position:

Email:

Please save this survey when completed and email a copy to the OIC at oiinfo@oic.nsw.gov.au by Friday 17 June 2011.