



**Australian Government**

**Office of the Australian  
Information Commissioner**

December 2022

# FOIstats guide

Quarterly and annual FOI Act  
statistical returns to the OAIC

[oaic.gov.au](http://oaic.gov.au)

OAIC



























First Assistant Secretary (5% of time on FOI)	100 hours
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<b>Total</b>	<b>6100 hours</b>
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Because all of these officers have FOI work as part of their normal functions, 6100 would be entered in the FOI box at **3A(i)**.

#### Example 4

An agency receives five FOI requests which involve the following officers in a line area whose usual duties do not include FOI work:

APS6	60 hours
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EL 2	50 hours
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Assistant Secretary	20 hours
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First Assistant Secretary	5 hours
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This must be separated into SES and a combined APS 6/EL 1-2 category. In this case, 25 Staff-Hours were spent by SES officers and 110 Staff-Hours were spent by APS 6/EL 1-2 officers.

These figures would be recorded in answer to **3A(ii)** as follows:

SES officers (or equivalent)	25 hours
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APSL6, Executive Levels 1-2	110 hours
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#### Example 5

Some support staff (APS Levels 1-5) whose usual duties don't include FOI work spend 100 hours photocopying documents for release in response to FOI requests.

A figure of 100 would be recorded in answer to **3A(iii)**.

**3B** records the Staff-Hours spent by a minister<sup>2</sup> or ministerial staff on FOI work (not IPS). If an FOI request involves both an agency and a minister's office, the Staff-Hours spent by each should be reported separately. Staff-Hours should be recorded separately for:

- (i) ministers and advisers, and
- (ii) minister's support staff.

#### Part 4 – Non-Staff Costs Directly Attributable to FOI or IPS

All expenditure directly related to FOI or IPS work should be included (separately), whether in response to FOI requests, in the course of administrative processes for handling FOI requests,

<sup>2</sup> Section 93 of the FOI Act requires each minister, as well as each agency, to furnish, in relation to their official documents, information for inclusion in the OAIc's Annual Report. This includes assistant ministers. These office holders are listed separately in the FOIstats database. Separate annual and quarterly returns should be submitted through the relevant Department.

managing and implementing the IPS scheme for the agency or conducting training programs etc. Only include actual expenditure paid during the period, whether or not the service was performed during the period.

Item	Comments* Note FOI and IPS costs are entered separately
<b>A. General administrative costs</b>	<p>This includes photocopying, printing, postage, telephone, materials, travel etc directly related to FOI or IPS work.</p> <p>This <u>does not</u> include the cost of engaging seconded lawyers or contractors to perform FOI work (this should be included at <b>2</b> and <b>3</b> of the annual return) or costs associated with maintaining computers or equipment used by FOI staff (the OAIC adds 60% to staff hours entered by agencies to account for on-costs such as this).</p>
<b>B. General legal advice costs</b>	<p>This is general legal advice on FOI or IPS matters either from an in-house legal section or external solicitors/legal counsel.</p>
<b>C. Litigation costs</b>	<p>This is the costs of specific litigation in relation to particular FOI requests. It includes solicitors and legal counsel costs and internal agency legal services if they can be costed. It is very unlikely there would be any IPS litigation.</p>
<b>D. Training costs</b>	<p>This is the training costs directly related to agency staff FOI or IPS skill development.</p>
<b>E. Other costs</b>	<p>Only use for unusual costs not covered above, for example a special access arrangement. Please list the type of cost as well as the amount. Note that these comments will be automatically published with the full dataset on data.gov.au when the OAIC's Annual Report is published.</p>

## 5 – Comparison with Previous Year

Agencies are encouraged to complete **5** to explain any major *differences* in statistics for the year under report and the previous year, for example:

- the number of FOI requests received and response times
- FOI costs incurred and charges collected
- staff-hours spent on FOI or IPS matters
- the outcomes of decisions, for example the reasons for an increase or decrease in the percentage of requests granted in full, in part or refused.

In the past, agencies have been subject to adverse media comment when there were significant increases in costs and no explanation has been provided.

These comments will be automatically published with the full dataset on data.gov.au when the OAIC's Annual Report is published.















