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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 or (07) 3234 7373.
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September 2019

The Honourable Curtis Pitt MP
Speaker of the Legislative Assembly
Parliament House
George Street
Brisbane Qld 4000

Dear Mr Speaker

I am pleased to present the Annual Report 2018–19 and financial statements for the Office of the Information Commissioner.

The report contains an account of our work for the 12 months ending 30 June 2019 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 2018-22.

I certify that this Annual Report complies with:
• prescribed requirements of the Financial Accountability Act 2009 (Qld) and the Financial and Performance Management Standard 2009; and
• 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 82 of this Annual Report.

Yours sincerely

Rachael Rangihaeata
Information Commissioner
ABOUT THIS REPORT

Our annual report provides an overview of performance towards achieving an informed Queensland that values and respects information rights and responsibilities.

We are required to report annually on specific aspects of our activities. This annual report provides an:

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

This annual report is an important component of how we monitor our performance, which feeds into organisational planning and resource allocation.

Acknowledgement of Traditional Owners and Elders

The Office of the Information Commissioner acknowledges Aboriginal and Torres Strait Islander peoples as the First Australians and recognises their culture, history, diversity and their deep connection to the land, waters and seas of Queensland and the Torres Strait. We acknowledge the traditional custodians of the lands on which we operate and wish to pay our respects to their Elders past and present.
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I am pleased to report a year of strong performance as the OIC marks the 10th anniversary of the Right to Information Act 2009 and Information Privacy Act 2009 in Queensland.

In June 2008, an independent review panel chaired by Dr David Solomon AM produced the Solomon Report. This report recommended that Queensland overhaul its approach to information, and led to the Right to Information Act 2009 (RTI Act) and Information Privacy Act 2009 (IP Act) replacing the Freedom of Information Act 1992 on 1 July 2009. This change started a fundamental shift in how government provides access to information. Queensland moved to a push model where information is released proactively, unless there is a good reason not to, while protecting and respecting personal information.

The OIC has changed significantly in this time, evolving from a single external review function to now delivering privacy complaint mediation services as well as audit and support functions for government agencies and the community, and assurance to Parliament. The 10th anniversary milestone presented an opportunity to showcase Queensland’s journey towards a more open, transparent and accountable government that protects and respects personal information.

We celebrated the 10th anniversary with several awareness campaigns and events commencing with Privacy Awareness Week in May 2019, launched at the University of the Sunshine Coast. In June our Tell us your story campaign shared the impact of the legislation and broader experience. These initiatives and events were well received by stakeholders and provided the OIC with opportunities to engage with people around all regions of Queensland. The campaign continued through July to Right to Information Day in September.

We experienced record demand for our services in 2018-19 with 687 review applications. This represents an increase of 30 percent in two years and twice the demand experienced prior to the policy changes introduced by the RTI and IP Acts 10 years ago. Despite the high demand and complexity of applications, we finalised a record number of 659 review applications. We also received and finalised record numbers of privacy complaints and enquiries. Our support and audit functions are critical to improvements in agency practices, which not only lead to better government and service delivery outcomes, but can also help us manage demand for our external review and privacy complaint mediation services.
Our Audit and Evaluation function continued to monitor and report on agency compliance with the RTI and IP Acts by conducting audits, reviews and surveys of government departments, local governments, hospital and health services, statutory authorities, government owned corporations and universities, in order to measure the extent to which the agencies have implemented their right to information and information privacy obligations and good practices.

We tabled five reports to Parliament in 2018-19, including 10 years on: Queensland government agencies’ self-assessment of their progress in right to information and information privacy. We also reported on Information Management maturity, Awareness of privacy obligations and implementation of recommendations of compliance audits of hospital and health services.

Technology and its impact upon the collection, use and protection of personal information continued to be a growth area for us in 2018-19. Agencies are seeking to use technology such as artificial intelligence and data analytics to improve service delivery, achieve efficiencies and innovate, but with this comes new challenges for information management.

Community expectations have changed as a result of a number of factors, and government agencies seeking to take advantage of opportunities and challenges associated with technology must ensure they have appropriate safeguards in place and manage risks in a multidisciplinary approach.

All of our exceptional results and ongoing high standard of service delivery could not be achieved without the professionalism, excellence, hard work and dedication of our team. I would like to take this opportunity to thank them for their commitment to making Queensland government agencies more open, transparent and accountable while encouraging better management and protection of personal data.

Marking the 10th anniversary of the RTI and IP Acts in Queensland has been a notable achievement for the OIC. I am confident that we are well positioned to take on the challenges of meeting rising community expectations and rapid technological and social changes as we move forward. The next decade is also an opportunity for this Office to increase awareness of information access and privacy rights and responsibilities within the community and Queensland public sector agencies.

We remain committed to working collaboratively with stakeholders to encourage a more open, transparent and accountable government, while protecting and respecting the personal information of Queenslanders.

Rachael Rangihaeata
Information Commissioner
## OUR PERFORMANCE REPORT CARD

We measure the efficiency and effectiveness of our services against key performance targets and indicators.

*Figure 1. 2018–19 Performance report card*

### Our external review service

<table>
<thead>
<tr>
<th>Service standard</th>
<th>2018–19 target</th>
<th>Achievement</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide independent, timely and fair review of decisions made under the Right to Information Act 2009 and Information Privacy Act 2009</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of applicants satisfied with the conduct of the review</td>
<td>70%</td>
<td>56%</td>
<td>x</td>
</tr>
<tr>
<td>Percentage of agencies satisfied with the review service provided</td>
<td>75%</td>
<td>98%</td>
<td>✓</td>
</tr>
<tr>
<td>Median days to finalise a review</td>
<td>90 days</td>
<td>119 days</td>
<td>x</td>
</tr>
<tr>
<td>Percentage of open reviews at the end of reporting period over 12 months old</td>
<td>0%</td>
<td>0.1%</td>
<td>x</td>
</tr>
<tr>
<td>Percentage of external reviews resolved informally without a written decision, compared to the total number of finalised reviews</td>
<td>75%</td>
<td>92%</td>
<td>✓</td>
</tr>
<tr>
<td>Percentage of review applications finalised to received</td>
<td>100%</td>
<td>96%</td>
<td>x</td>
</tr>
</tbody>
</table>

### Our privacy advice and complaint mediation service

<table>
<thead>
<tr>
<th>Service standard</th>
<th>2018–19 target</th>
<th>Achievement</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide an independent, timely and fair privacy complaint mediation service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of agencies satisfied with the privacy complaint mediation service provided</td>
<td>75%</td>
<td>100%</td>
<td>✓</td>
</tr>
<tr>
<td>Mean average days to finalise an accepted privacy complaint</td>
<td>140 days</td>
<td>157 days</td>
<td>x</td>
</tr>
<tr>
<td>Assist agencies to achieve compliance with the privacy principles</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of consultations and submissions</td>
<td>n/a</td>
<td>33</td>
<td>–</td>
</tr>
<tr>
<td>Number of advices and meetings</td>
<td>n/a</td>
<td>296</td>
<td>–</td>
</tr>
</tbody>
</table>
## Our assistance and monitoring service

<table>
<thead>
<tr>
<th>Service standard</th>
<th>2018–19 target</th>
<th>Achievement</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Improve agencies’ practices in right to information and information privacy</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of agencies satisfied with the quality of the information resources provided</td>
<td>80%</td>
<td>99%</td>
<td>✔</td>
</tr>
<tr>
<td>Percentage of agencies satisfied with the enquiries service</td>
<td>80%</td>
<td>99%</td>
<td>✔</td>
</tr>
<tr>
<td>Number of training participants</td>
<td>4,000</td>
<td>11,892</td>
<td>✔</td>
</tr>
<tr>
<td>Percentage of training participants satisfied with sessions</td>
<td>75%</td>
<td>97%</td>
<td>✔</td>
</tr>
<tr>
<td>Number of reports tabled in Parliament</td>
<td>5</td>
<td>5</td>
<td>✔</td>
</tr>
<tr>
<td><strong>Promote greater awareness of right to information and information privacy in the community and within government</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of awareness activities conducted</td>
<td>250</td>
<td>430</td>
<td>✔</td>
</tr>
<tr>
<td>Number of responses to written and oral enquiries</td>
<td>4,500</td>
<td>5,280</td>
<td>✔</td>
</tr>
<tr>
<td>Number of website visits</td>
<td>150,000</td>
<td>235,226</td>
<td>✔</td>
</tr>
</tbody>
</table>
THE YEAR AT A GLANCE

Record delivery and demand for key services

External review applications:
- 687 received
- 659 finalised

Privacy complaints:
- 98 received
- 92 finalised

5,280 enquiry service responses:
- 50% from individuals
- 34% from government agencies
- 62% regarding information access
- 16% regarding privacy

Privacy in focus

Artificial Intelligence and data analytics in service delivery

Biometrics and facial recognition

New technology challenges

Tabled five audit reports to Parliament

Increase in performance

Awareness of privacy obligations

Information management maturity

Follow-up audit:
- Gold Coast Hospital and Health Service

Follow-up audit:
- Cairns and Hinterland Hospital and Health Service

Key awareness raising events

Campaigns
- Promoting 10-year anniversary of RTI and IP Acts

Solomon Lecture
- Delivered by Professor Ken Smith, Australia and New Zealand School of Government

Right to Information Day
- Trust and transparency

Privacy Awareness Week regional launch
- Build Privacy into your Everyday
10 YEARS ON AT A GLANCE

External review—moving to a push model under RTI and IP Acts

Significant increase in information across government and online release results in marginal increase in formal access applications

Significant growth in information generated and collected by government

Privacy

Focus has shifted from ticking a box to privacy by design and customer centred approach

Increased expectations around the benefits of information sharing

Technological change, including data analytics and artificial intelligence, is accelerating
Our audit focus has shifted from technical to strategic engagements and improved practices.

Agency self-assessment helps us monitor progress over 10 years

This figure depicts the topic areas that, across the self-assessments, were reported by agencies as having higher, lower and consistent levels of full implementation. It also depicts topics which have gradually improved, and topics which have gradually declined over the four self-assessments. We note that some topics have one question while others have a large number.

**Figure 3. Topic performance over the 10 years**

**Source:** Office of the Information Commissioner
10 YEARS ON AT A GLANCE

Promotion of awareness, support and training

Figure 4. Training and engagement with people from across Queensland between 2009-2019 including:

- Proactive release of OIC annotated legislation
- Increase in the number of training participants 2009-10 to 2018-19: 231%

2018–19 ANNUAL REPORT
10 YEARS ON AT A GLANCE

Continued strong demand for enquiries service

Information access rights

What do Queenslanders know about their rights to access government-held information?

Eighty-seven percent of people surveyed said the right to access information held by the Queensland Government was 'very' or 'quite' important.

are aware they could access information held by at least one of the listed agencies

Figure 5. Information Access Study 2019 Question 3: How important is it to you that you have a right to access government information?

Figure 6. Awareness by government agency sector

<table>
<thead>
<tr>
<th>HIGHER</th>
<th>LOWER</th>
</tr>
</thead>
<tbody>
<tr>
<td>73% awareness</td>
<td>36% awareness</td>
</tr>
<tr>
<td>QLD government agencies</td>
<td>Ministers</td>
</tr>
<tr>
<td>71% awareness</td>
<td>32% awareness</td>
</tr>
<tr>
<td>Local governments/Councils</td>
<td></td>
</tr>
<tr>
<td>64% awareness</td>
<td></td>
</tr>
<tr>
<td>Public Hospital and Health Services</td>
<td></td>
</tr>
<tr>
<td>47%</td>
<td></td>
</tr>
<tr>
<td>Not all that important</td>
<td></td>
</tr>
<tr>
<td>Not important at all</td>
<td></td>
</tr>
<tr>
<td>Quite important</td>
<td></td>
</tr>
<tr>
<td>Very important</td>
<td></td>
</tr>
</tbody>
</table>
ABOUT US

We are an independent statutory body for the Financial Accountability Act 2009 (Qld) and the Statutory Bodies Financial Arrangements Act 1982 (Qld).

Initially established under the repealed Freedom of Information Act 1992 (Qld) (FOI Act), we continued under the RTI Act. Our statutory functions under both the RTI Act and the IP Act support Queensland government agencies, including departments, statutory authorities, hospital and health services, local governments and public universities, to be more open, accountable and transparent.

Under the RTI and IP Acts, government-held information must be released, 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.

The IP Act also recognises the importance of protecting the personal information of individuals. It creates a right for individuals to access and amend their own personal information and provides rules for how agencies must handle personal information.

Information privacy requirements foster responsible and fair management of personal information and assist government to meet changing community expectations about privacy.

We promote the objectives of the RTI and IP Acts including the understanding that greater access to information leads to an informed community, able to participate in and scrutinise government. RTI and information privacy obligations promote a more effective, efficient, ethical, open, transparent and accountable public service.

Under the RTI and IP Acts, the Information Commissioner is a statutory office holder appointed by the Governor-in-Council, and is not subject to ministerial direction in the exercise of the functions under the Acts.

The independent authority of the Information Commissioner allows the community to have confidence that the Information Commissioner will carry out the role independently, fairly, and impartially.

Our stakeholders

Our stakeholders include the Legal Affairs and Community Safety Committee of the Queensland Parliament, the community and agencies such as Queensland Government departments and Ministers, local governments, hospital and health services, statutory authorities, government-owned corporations, public universities and other public authorities.
OUR VALUES

Respectful
We listen carefully, providing assistance to build understanding, find solutions and enable meaningful participation. Our processes are fair and transparent. We are inclusive in our approach.

Collaborative
We work together as one Office of the Information Commissioner (OIC) team to maximise our expertise to achieve better outcomes.

Focused
We strive for excellence in service delivery and work to produce high quality and timely outcomes. We prioritise activities that have the greatest impact on improving right to information and information privacy practices and awareness.

Innovative
We stay informed about our changing environment so we can effectively foster an environment of continuous improvement incorporating creative solutions.
**OUR BUSINESS MODEL**

We measure the efficiency and effectiveness of our services against key performance targets and indicators.

*Figure 7. Our business model*

<table>
<thead>
<tr>
<th>Inputs</th>
<th>Activities</th>
<th>Outputs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Skills and expertise</td>
<td>Review agency decisions</td>
<td>Decisions and informal resolution</td>
</tr>
<tr>
<td>Governance</td>
<td>Monitor and report on performance</td>
<td>Training courses and information sessions</td>
</tr>
<tr>
<td>Funding</td>
<td>Conduct privacy mediation</td>
<td>Reports to Parliament and submissions</td>
</tr>
<tr>
<td>Stakeholder engagement</td>
<td>Provide training and assistance</td>
<td>Awareness raising activities and events</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Outcomes**

- Increased awareness of information access rights and protection of personal information
- Improved public sector service delivery
- Strong information rights and responsibilities practice
- Improved public trust and confidence in government
- Easier and quicker access to government-held information including data
- Greater government openness, transparency and accountability
- Develop our people
- Review agency decisions
- Monitor and report on performance
- Conduct privacy mediation
- Provide training and assistance
- Decisions and informal resolution
- Training courses and information sessions
- Reports to Parliament and submissions
- Awareness raising activities and events
- Information resources and Enquiry Service advice and assistance

We measure the efficiency and effectiveness of our services against key performance targets and indicators.

**Figure 7. Our business model**

**Inputs:**
- Skills and expertise
- Governance
- Funding
- Stakeholder engagement

**Activities:**
- Review agency decisions
- Monitor and report on performance
- Conduct privacy mediation
- Provide training and assistance
- Develop our people
- Decisions and informal resolution
- Training courses and information sessions
- Reports to Parliament and submissions
- Awareness raising activities and events
- Information resources and Enquiry Service advice and assistance

**Outputs:**
- Greater government openness, transparency and accountability
- Easier and quicker access to government-held information including data
- Improved public trust and confidence in government
- Strong information rights and responsibilities practice
- Increased awareness of information access rights and protection of personal information
- Improved public sector service delivery
OUR STRATEGY

We have set strategies with key performance indicators to achieve our expected objectives for our service areas over the five-year period.

Strategic planning
Strategic planning involves consulting with staff. Our Strategic Plan provides direction and focus to our activities as a whole, and to teams and individuals as they proceed with specific projects and day-to-day work to address key challenges and priorities. Each Executive management team member is responsible for addressing specific strategies to guide activity, monitor progress against targets and report achievement against service objectives. The Executive management team meets regularly to discuss budget, performance, office culture/climate and other general business. Where necessary, the team makes changes to meet performance targets.

Monthly all staff meetings and regular team meetings provide an opportunity to discuss operational issues. These gatherings allow us to consult with staff and provide information on operational planning, risk management, and workplace health and safety.

We seek regular feedback from parties involved in external reviews, privacy complaints, and training through surveys, email, website and an external practitioner network.

We are determined to ensure business processes, policies and guidelines are effective, able to withstand scrutiny and serve our staff, the community, agencies and stakeholders well.

Our Strategic Plan is available online at www.oic.qld.gov.au

Improving our services

Evaluation
Evaluation drives our learning and helps us to understand the factors that worked or did not work within a particular activity, the results achieved and the wider applicability of those lessons. We use evaluation to share insights and knowledge and empower stakeholders by expanding their knowledge base and enhancing their skills to improve services.

Stakeholder engagement
Engaging effectively with stakeholders and involving them in development, design and delivery allows us to tap into their expertise, experience and knowledge. It helps us to identify risks and new opportunities. Well-managed interactions provide us with information to shape our future initiatives and services.

Feedback
Actionable feedback, both positive and negative, is critical in helping us make decisions about our service delivery. Feedback allows us to better understand how clients rate and use our services to determine where we can improve. Satisfaction surveys are one method we use to obtain feedback. The gathered information supports service improvements, better client experiences and strengthens our brand and reputation.
Implementing recommendations from the Independent Strategic Review

We have implemented all the recommendations from the Independent Strategic Review tabled in Parliament in May 2017, except those recommendations that require legislative amendments to the RTI and IP Acts, or further funding. We will continue to work with the Government to seek support to address these recommendations as appropriate.

Throughout the year, we continued discharging our statutory functions by strategically engaging with stakeholders, raising awareness, educating, training and supporting agencies and the community. We reviewed our extensive online resources including guidelines, online training, self-audit tools and annotated legislation to ensure they are clear, concise, accurate and accessible.

Our 10th anniversary awareness campaign presented an opportunity to reflect on Queensland’s journey towards a more open, transparent and accountable government that ensures appropriate safeguards for personal information. We delivered a number of promotional activities starting with Privacy Awareness Week in May to commence the 10th anniversary campaign. The campaign continues through to Right to Information Day in late September 2019.

In 2019-20, we will leverage the opportunities achieved from our 10th anniversary campaign and improve access to our services across Queensland. We will operate a schedule of strategic engagement with regional and rural agencies/councils for the Information Commissioner, Privacy Commissioner, RTI Commissioner and OIC staff, undertake audits of regional councils, provide free online training and e-lectures focused on information rights and responsibilities and offer customised face-to-face training when requested by agencies.

We anticipate continued high demand for our services, and complexity of matters will apply pressure on our ability to meet a number of performance measures. By undertaking effective awareness and engagement activities, and supporting agencies, we can encourage a pro-active push model of RTI, with less reliance on formal access applications. We can also encourage agencies to embed good personal information management practices. This may help manage demand for our services and the impact on our limited resources.

Equally, rapid changes in technology present many opportunities and challenges for how agencies manage information, including the personal information of Queenslanders.

Our focus in 2019-20 will be to support agencies to deal with the implications of new technologies and online platforms, information sharing demands by government and new formats and types of information, transparency, information management, privacy and data protection.

The outcome of the Queensland Law Commission Review into Civil Surveillance in October 2019, and implementation of the Report on the Review of the RTI and IP Acts, may impact on OIC and our stakeholders in 2019-20. The potential implications and timing are uncertain, however could be significant across our functions, and include new statutory functions.

We will invest in developing a more contemporary IT environment for our staff. Our transition to a new IT provider in the latter half of 2019 will enable us to further advance our flexible work practices, and enable staff to be more efficient and effective in their work. We will continue building workforce capacity, capability and satisfaction, including through implementing career strategies, developing leadership capability, and fostering excellence in communication to ensure a high level of service is provided to all.