Office of the Information Commissioner
Queensland

2013 Right to Information and Information Privacy Electronic Audit

Queensland public sector agencies' responses and comparative analysis with 2010 results

Report No. 2 of 2013/14 to the Queensland Legislative Assembly

The Office of the Information Commissioner (OIC) thanks agencies for their cooperation with the review process and, in particular, for completing the electronic audit. In undertaking this review, OIC recognises the commitment of public servants to Right to Information and Information Privacy.

Copies of this report are available on our website at www.oic.qld.gov.au and further copies are available on request to:

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September 2013

Mr Ian Berry MP
Chair
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane QLD 4000

Dear Mr Berry

I am pleased to present the *2013 Right to Information and Information Privacy Electronic Audit: Queensland public sector agencies' responses and comparative analysis with 2010 results* capturing public sector agencies' assessment of their development in implementing obligations under the *Right to Information Act 2009* (Qld) and the *Information Privacy Act 2009* (Qld).

This report is prepared under section 131 of the *Right to Information Act 2009* (Qld).

The report reviews self reported progress of agencies in complying with Right to Information and Information Privacy legislation and guidelines. The report identifies areas of good practice and areas requiring further work.

In accordance with subsection 184(5) of the *Right to Information Act 2009* (Qld), I request that you arrange for the report to be tabled in the Legislative Assembly on the next sitting day.

Yours sincerely

Clare Smith
Acting Information Commissioner

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Supplementary Material
(provided on OIC website at oic.qld.gov.au)

2013 Right to Information and Information Privacy Agency Electronic Audit

Detailed results 2013 electronic audit – All agencies

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2013 electronic audit - List of questions by topic

Duplicate of detailed results of the 2013 electronic audit – numerical data provided in machine readable version (Excel spreadsheet)

1   Executive Summary

The Office of the Information Commissioner (OIC) has conducted a second electronic audit in which agencies assessed their progress as part of OIC's program to monitor agencies' performance under the *Right to Information Act 2009* (Qld) (RTI Act) and the *Information Privacy Act 2009* (Qld) (IP Act). In particular, the audit focused on agencies' compliance with obligations under the RTI Act, IP Act, Ministerial guidelines under the RTI Act, and relevant requirements including specific record keeping obligations under the *Public Records Act 2002*.[1] The electronic audit, introduced in 2010, provides a snapshot of the progress across all Queensland public sector agencies and will build a longitudinal picture of agency progress in addressing the strategic and operational requirements of the RTI and IP Acts.

OIC contracted with the Government Statistician to develop an interactive, online survey tool to conduct the 2013 electronic audit. The online tool is a significant advance and provides reusable, user-friendly software to minimise the audit's administrative impact on agencies.

Overall, considerable progress was reported for the 187 audited agency types, namely, departments (21), local governments (64), universities and statutory TAFEs (9), Government owned corporations (12), hospital and health services (16) and other agencies (65). However, certain agency types reported differing levels of progress across, and in relation to specific topics. Key results as reported by agencies included:

- An improvement in the reported performance under the RTI and IP Acts across all agencies with an increase of 14 percentage points since 2010 to 85% full or partial implementation.

- Strong reported performance in the Government owned corporation (GOC), Queensland Government department and university and TAFE sectors with 94% full or partial implementation of obligations. The GOC and university and TAFE sectors reported a 10 to 14 percentage point improvement in compliance from 2010.

- While the local government and other agency sectors reported a 15 percentage point improvement in performance since 2010, further improvement is required. These sectors reported 82% full or partial implementation of obligations.

- The highest reported level of compliance related to application processing and privacy, with 90% of obligations reported as having full or partial implementation; and

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[1] A full list of the Electronic Audit questions by topic is available as part of the supplementary information to this report on the OIC website at oic.qld.gov.au. Some questions are relevant only to departments as they relate to specific requirements for departments under the RTI Act, or particular Queensland Government guidelines such as the Queensland Government Enterprise Architecture (QGEA) guidelines from the Queensland Government Chief Information Office. The audit also includes a small number of questions regarding good practice for giving effect to the broader objectives of the legislation, some of which were detailed in *The Right to Information: Reviewing Queensland's Freedom of Information Act, The report by the FOI Independent Review Panel June 2008* (the Solomon report).

- 109 agencies (58%) still reported not having implemented at least one of the 'push model' strategies ie a publication scheme, disclosure log or administrative access arrangement. Significantly, almost half (88) of agencies don't have any administrative access schemes. Only a third (62) reported that they have or are in the process of either implementing a new administrative access scheme since commencement of the RTI Act in 2009 or introducing new information into an existing administrative access scheme. Where agencies had a publication scheme they reported strong compliance with the requirements for implementing a publication scheme.

As the RTI and IP legislation has now been in place since July 2009, active leadership by agencies is important to maintain and review activities required to ensure full compliance is achieved. Such leadership is critical to ensure the broader objectives of the legislation are fully realised to provide better and easier access and to build community awareness and confidence in access to public sector information.

2   Introduction

Background

The Office of the Information Commissioner (OIC) is responsible for monitoring and reporting on agency compliance with *Right to Information Act 2009* (Qld) (RTI Act) and *Information Privacy Act 2009* (Qld) (IP Act). The legislation, which commenced in July 2009, requires government agencies to make government-held information available to the public as a matter of course, unless there is a good reason not to, and to provide safeguards for handling personal information. The electronic audit was introduced in 2010 and was conducted for the second time in 2013. The electronic audit provides a snapshot of progress across all agencies in addressing the strategic and operational requirements of the legislation and will build a longitudinal picture with successive audits.

The questions in the electronic audit are sourced from obligations placed on agencies under the RTI Act, IP Act, *Ministerial Guidelines – Operation of Publication Schemes and Disclosure Logs* (Ministerial guidelines) and other requirements such as the Queensland Government Enterprise Architecture (QGEA) guidelines from the Queensland Government Chief Information Office and advice from the Queensland State Archives. The audit also includes a small number of questions regarding good practice for giving effect to the broader objectives of the legislation, some of which were detailed in the Solomon Report[2] and a literature review.[3]

Reporting Framework

Under section 131 of the RTI Act, the functions of the Information Commissioner include reviewing and reporting on agencies' performance in relation to the operation of the RTI Act and chapter 3 of the IP Act. The Information Commissioner under section 131(2) is to give a report to the Parliamentary Committee for Legal Affairs and Community Safety about the outcome of each review.

Scope and objectives

In March 2013, OIC commissioned the Government Statistician to send the RTI and IP Agency Electronic Audit to 209 agencies to self assess their implementation of RTI and IP obligations.

Acronyms used in this report are listed in Appendix 1.

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[2] *The Right to Information: Reviewing Queensland's Freedom of Information Act, The report by the FOI Independent Review Panel June 2008* (the Solomon report).

[3] 'FOI Standards and Measures', produced by the Office of the Information Commissioner, Western Australia, and 'Overview & Future Directions' taken from 'Freedom of Information and Privacy in Australia' (2005) by Moira Paterson, Chapter 12 at page 493.

Methodology

OIC contracted with the Government Statistician to develop an interactive, online survey tool to conduct the electronic audit in 2013. The solution developed provides reusable software which can be used in future electronic audits. Feedback from agencies was that the software was found to be user friendly and reduced the administrative burden in undertaking the audit. The tool increased the reliability of results and provided the data in a format suitable for analysis and reporting. Its implementation was a significant achievement.

The elements in the audit were selected primarily by identifying requirements from the legislation or from guidelines issued under the RTI Act by the Minister. For most of the electronic audit, each agency had an option to answer in one of four ways: 'yes', 'in progress', 'identified'[4] or 'no'. Details of the methodology are in Appendix 2. A copy of the complete electronic audit questionnaire is provided on the OIC website.[5]

The audit yielded a large amount of detailed supplementary material. While this report summarises the results, supplementary material to the report is available on the OIC website. The report and the supplementary material can be read independently or together.

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[4] 'identified' is where management has identified the item as an issue, but has not yet commenced to address the issue.
[5] *2013 Right to Information and Information Privacy Agency Electronic Audit* available on the OIC website at http://www.oic.qld.gov.au/about/our-organisation/key-functions/compliance-and-audit-reports.

3   Results

This section summarises key results of OIC's analyses of the electronic audit responses. Detailed results are provided in the report's supplementary material.[6] Agencies are required to be compliant with statutory obligations. The report draws attention to areas of self reported good practice and areas where more work is needed to achieve compliance with RTI and IP obligations. This report looks at agencies' progress in implementing their obligations since the previous audit in 2010.[7]

The results have been grouped under the following headings:

- Overall Performance of Agencies

- Agency Performance by Topics

- Agency Performance within Agency Types

In addition, there is further analysis of specific areas of note.

3.1   Comments on Reading the Results

The results provide a useful snapshot of agencies' views as to the current state of their compliance, based on a strong response rate across all agencies. A significant majority of agencies (91%) responded to the electronic audit. Out of 209 agencies provided with the electronic audit, four agencies have ceased to operate or queried whether the legislation applied to their entity. The Government Statistician received 187 completed audits from the remaining 205 agencies.

Responses were comprehensive. Agencies were asked to respond to up to 199 questions describing compliance with the RTI Act, IP Act, Ministerial guidelines and other requirements. The audit was tailored for each individual agency to reduce the number of questions and the associated administrative impact. Subsequently, on average agencies were only required to answer 110 questions. Agencies took the opportunity to provide almost 2500 comments, ranging from brief remarks to detailed explanations or expanded responses. Each response has been read in full. The results summarised in this report are distilled from a large and detailed set of responses. More detailed information is provided in the supplementary material to this report which is published on the OIC website[8] and includes: the collated electronic audit

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[6] *Detailed results 2013 electronic audit – all agencies* available on the OIC website at http://www.oic.qld.gov.au/about/our-organisation/key-functions/compliance-and-audit-reports.

[7] *Agency Progress on Right to Information Reforms - Results of the self assessed electronic audit completed by Queensland public sector agencies* viewed at http://www.oic.qld.gov.au/__data/assets/pdf_file/0005/7763/report-agency-progress-rti-reforms.pdf on 26 August 2013.

[8] At http://www.oic.qld.gov.au/about/our-organisation/key-functions/compliance-and-audit-reports.

responses across all agencies;[9] a complete set of de-identified comments;[10] and the same numerical data for the electronic audit, but in a machine readable format (Excel spreadsheet)[11] to enable readers to extract and manipulate the data. Some of the analysis in this report has been done by aggregating questions under topics, and a list is provided of which topic each question is analysed under.[12]

3.2   Overall Performance of Agencies

Almost every question in the electronic audit represented, or related to, an obligation under the RTI and IP legislation. For most of the questions, agencies were asked to report as to whether or not they had implemented the item, using a four point scale: 'yes', 'in progress', 'identified' or 'no'. If an agency answered 'yes', that meant the agency was reporting full implementation of that obligation.

Agencies reported they had made headway or achieved the compliance obligations (ie full or partial implementation) across 85% of all responses, over all questions.[13] This is an increase of 14 percentage points from 2010. Agencies answered 'yes' 77% of the time, almost a 20 percentage point increase, and 'in progress' a further 9% of the time, across all agencies and all questions, as depicted in Chart 1.
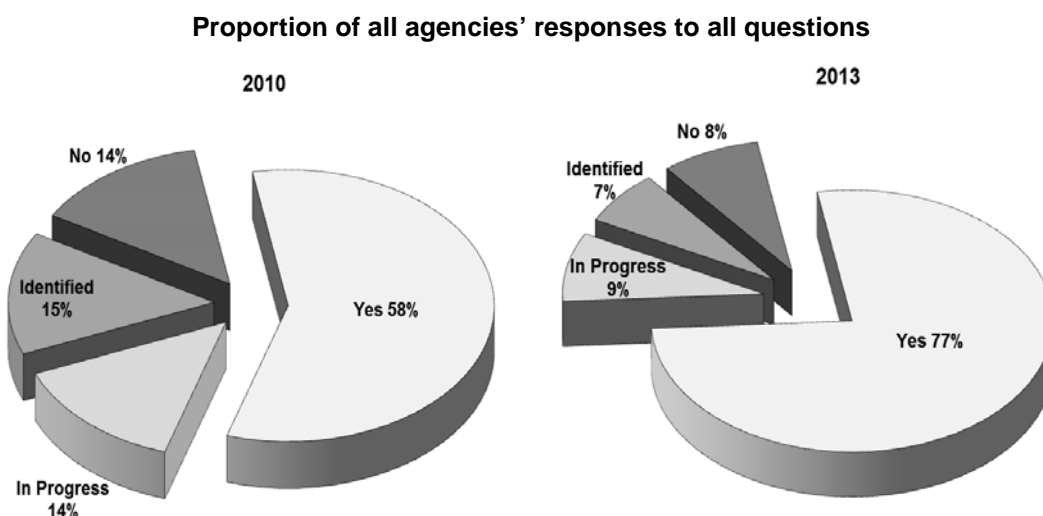
Proportion of all agencies' responses to all questions

***Chart 1**:   A comparison between the 2010 and 2013 electronic audits with the proportion of responses for each audit with each response on the 'yes, in progress, identified, no' scale over all agencies and over all questions. Note percentages do not add to 100 due to rounding.*

This is a substantial degree of full or partial compliance reported by agencies. This result shows agencies are continuing to make good progress in implementing their obligations.

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[9] *Detailed results 2013 electronic audit – All agencies.*

[10] *2013 electronic audit - Comments by agencies.*

[11] *Duplicate of detailed results of the 2013 electronic audit – numerical data provided in machine readable version (Excel spreadsheet).*

[12] *2013 electronic audit - List of questions by topic.*

[13] Note 'yes' is 76.9% and 'in progress' is 8.5% which adds up to 85.4%.

3.3   Agency Performance by Topics

While agencies reported a significant improvement across the board, some areas are more advanced than others. As in 2010, in order to report performance, items were grouped into topics. Topics were made up of sets of like questions.[14]

The overall pattern of responses was that agencies reported higher full or partial implementation in topics dealing with application processing and privacy, but more work is needed across the other topics to embrace the entire intent of the legislation. This pattern is depicted in Chart 2 which shows the average reported progress across all agencies for all 19 topics.
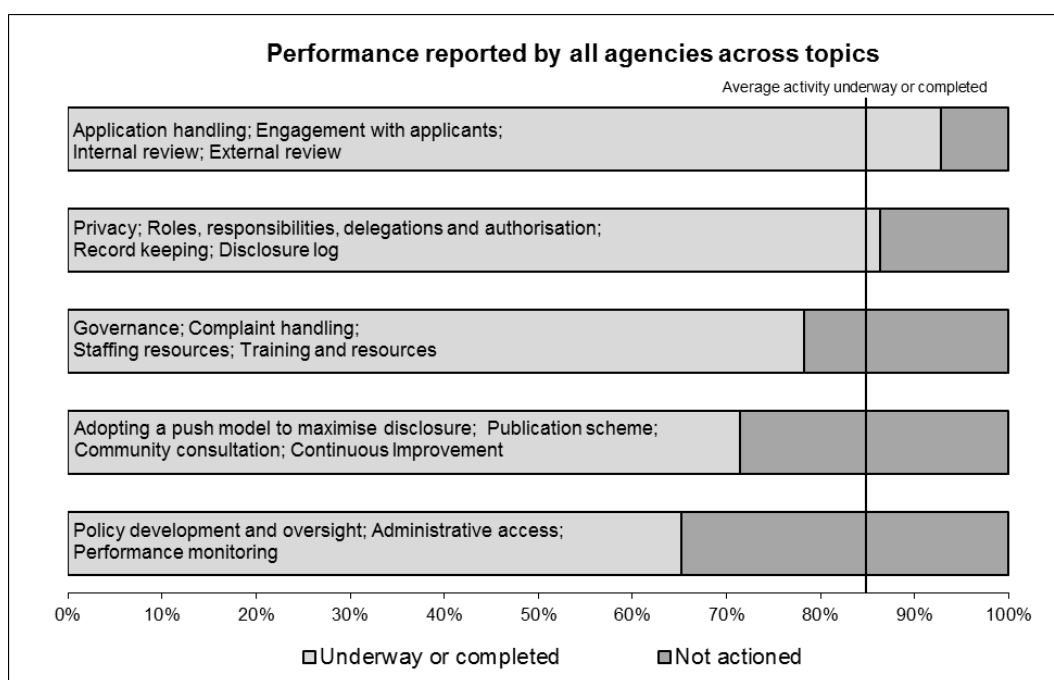

Chart 2: *Proportion of responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') by topic.*

Unlike 2010 where agencies reported significant levels of topics being 'in progress' or 'identified' for implementation, in 2013 there were no topics where agencies reported significant levels of 'in progress' or 'identified'. This suggests that agencies have moved towards full compliance by actioning improvements in those areas.

There are two significant areas which require further development and maturity by agencies. One area is implementation of the 'push model' strategies such as publication schemes and administrative access schemes. Publication schemes had the lowest level of improvement from 2010. The other is the implementation of performance monitoring and continuous improvement

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[14] Details of the grouping of questions into topics are included in *2013 electronic audit - List of questions by topic* available on the OIC website at http://www.oic.qld.gov.au/about/our-organisation/key-functions/compliance-and-audit-reports.

strategies by agencies to ensure that their implementation of RTI and IP obligations is sustained.

Further analysis of compliance in the areas of application processing and the 'push model' are discussed later in the report in section 3.5 and 3.6.

3.4   Agency Performance within Agency Types

Progress was uneven across agency types. Agencies were grouped into the same agency types as 2010 except for the new agency type of hospital and health services (HHS). Departments, universities and Government owned corporations (GOCs) reported the highest compliance, hospital and health services medium compliance, and local governments and other agencies the lowest compliance. Agencies were analysed by agency type. A summary of the results for each agency type is provided in Appendix 3.

Chart 3 depicts the proportion of non-responses and responses of 'under way or completed' and 'not actioned' by agency type.
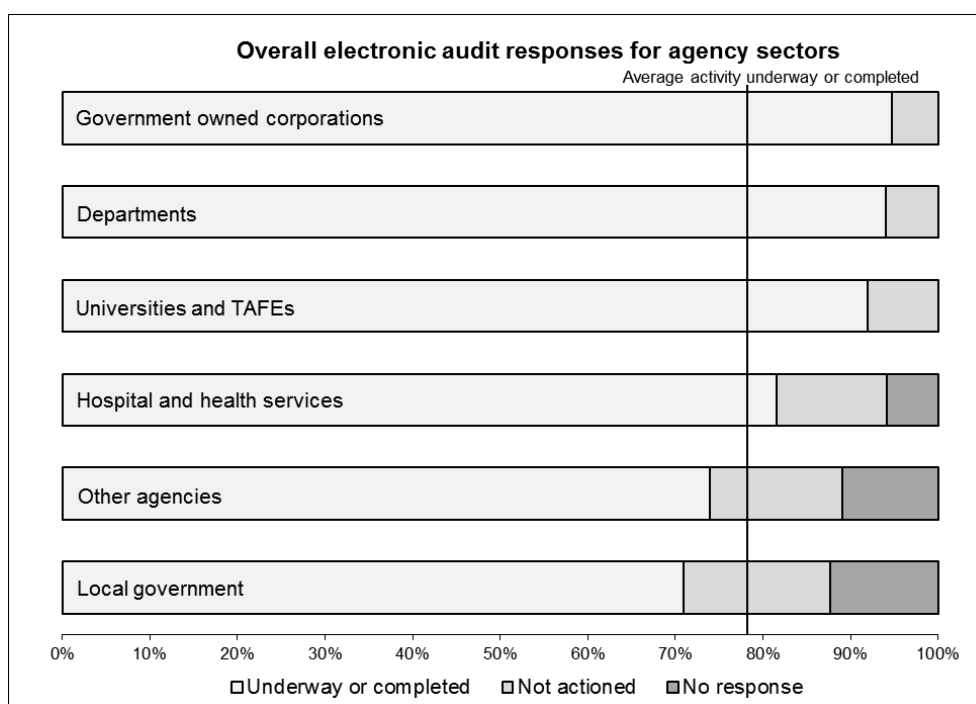
Chart 3.   *Proportion of responses of 'underway or completed' (ie 'yes' or 'in progress'), 'not actioned' (ie 'identified' and 'no') and 'no response' by agency type.*

As an overall assessment, GOCs, departments, universities and TAFEs have the highest compliance. GOCs had a significant improvement in their overall compliance since 2010 (14 percentage points) becoming the highest performing agency type.[15]   While the local government and other agencies sectors improved their reported compliance (by 15 percentage

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[15] Note that Government owned corporations are not bound by the information privacy principles and so were not asked the related privacy questions.

points) they still require the most improvement. The strong performance of hospital and health services should be acknowledged given they have only been in place since July 2012.

Application handling is identified as an area of very high performance across all agency types (except for hospital and health services), showing that this is a topic of high reported full compliance across all agency types. In contrast, administrative access and performance monitoring were reported across almost all agency types as areas of lowest reported performance. This shows that these are topics which have not yet been addressed adequately in any agency type.

Adopting a push model to maximise disclosure showed mixed results, with GOCs reporting a high level of compliance but local government, university and TAFE and other agency sectors reporting this as one of their weakest areas of compliance. On the other hand, local government reported complaint handling as one of their strongest areas while GOCs reported that more development is required in this area.

3.5   Application Handling

The topic of application handling was reported as an area of high performance. Under the RTI and IP Acts a person seeking access to a document held by government may apply to the relevant agency. The RTI and IP Acts specify a formal application process that a person can use to access government-held information. This process can involve initial application processing, internal review, external review and appeal to the Queensland Civil and Administrative Tribunal (QCAT). The electronic audit looked at the compliance obligations on agencies in initial application processing (19 questions), internal review (five questions) and external review (four questions). The audit also looked at agency engagement with applicants. The electronic audit does not examine agency performance in the quality of their decisions but reviews the process for processing applications. Application processing is a very prescriptive process under the legislation. Extensive resources are published on the OIC website to assist agencies with processing applications. The right of access under a formal legislative process is a critical part of right to information but is meant to be the last resort for accessing information.

Agencies reported a significant improvement across the board in implementing systems, policies and practices for application processing including responding to internal and external reviews. Agencies reported full or partial implementation of 93% of obligations relating to processing applications. These improvements may be due to agencies gaining maturity in application handling and in part due to the electronic audit now monitoring compliance of application handling in only those agencies that have received an application since 1 July 2010.

Three quarters of agencies (78%) reported that they were fully or partially compliant with all or all but one varying obligation when processing applications.[16] It was identified that processing time is still an area of concern and a third of agencies (33%) reported that agencies, third parties and applicants were only moderately satisfied with communication about time issues.

The two areas where agencies reported the lowest compliance regarding engagement with applicants were:

- 34 agencies (18%) reported that they don't consider calling the applicant as soon as practicable on receipt of the application to clarify the applicant's information request and explore options for providing the information; and

- 24 agencies (13%) reported that they don't assist applicants through negotiation, either prior to making an application or once an application is made, to clarify and particularise their requests.

Although not a legislative requirement, frequent constructive communication with the applicant during the formal process can result in greater efficiencies, reduced costs and better outcomes for the applicant and agency.

Applicants might express their request in unnecessarily broad terms or ask for information that they believe will meet their needs, but which, in fact, will not be of assistance to them and may be labour intensive for an agency to obtain. This may arise due to an applicant's limited understanding of the agency's information holdings. If the agency contacts the applicant early in the process, it might be possible to redefine the request so that the applicant is more likely to obtain the required information or identify more efficient avenues to obtain it. The agency may then perform a more targeted search to potentially find the information and process it faster with more ease, often reducing the financial cost to the applicant and agency. Ongoing communication is good customer service and is also useful to inform the applicant's expectations, speed up provision of relevant information and improve the way in which the applicant perceives their request has been handled.

Good agency communication practices have become a constant theme throughout OIC resources, training and performance and monitoring activities. Guidelines published by OIC advocate the need for early and frequent communication throughout the life-cycle of an information request. OIC's Fast Track Negotiation Skills course develops effective communication techniques for practitioners operating within an information rights context, and OIC compliance reviews focus on agency communication practices. For example, during the

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[16] While these agencies had a very high level of reported compliance they varied in what area they reported they were not compliant with. There was no specific area or areas that these agencies consistently reported non-compliance regarding processing of applications.

2012-13 Compliance Review–Department of Transport and Main Roads[17] OIC commended the communication strategies adopted by the agency's RTI and Privacy Unit when handling applications, both with applicants and with other internal business units. The subsequent compliance report tabled in Parliament profiled the Unit's communication activities to provide a resource for others.

3.6   Push Model Strategies

An integral part of the 'push model' is the release of information by means other than by a formal application under legislative authority. The RTI Act promotes the release of information and clarifies that formal access applications under the RTI Act should be used only as a last resort. Publication schemes, disclosure logs and administrative access schemes are important strategies under the RTI Act for the proactive disclosure of information.

Over half of agencies (58%) reported that they hadn't implemented at least one of the 'push model' strategies. 47 agencies reported that they are yet to implement publication schemes, 59 agencies don't have a disclosure log (with an additional 69 having an empty disclosure log) and almost half (88 agencies) don't have any administrative access schemes, as depicted in Chart 4. Where agencies did have a publication scheme or disclosure log, their level of compliance with the obligations for publication schemes and disclosure logs was good (89% compliance underway or completed for publication schemes and 84% for disclosure logs). More work, though, is needed in developing administrative access schemes even in agencies which already have one or more administrative access schemes. Even agencies with an administrative access scheme reported weak progress overall in this area with over a third of administrative access related questions (35%) on average still not having been implemented in agencies.

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[17] *Compliance Review – Department of Transport and Main Roads* available on the OIC website at http://www.oic.qld.gov.au/about/our-organisation/key-functions/compliance-and-audit-reports.
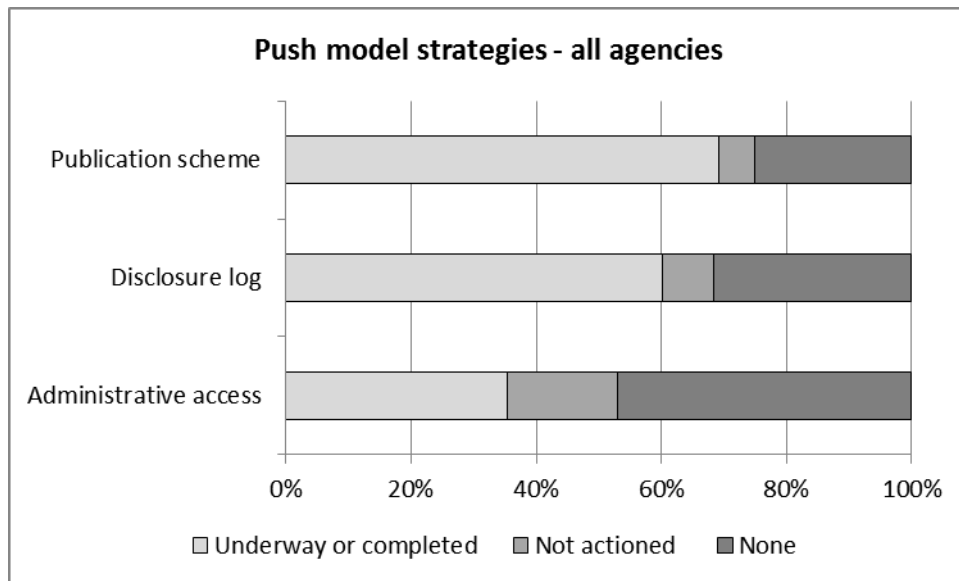
Chart 4: *Proportion of responses of 'underway or completed' (ie 'yes' or 'in progress'), 'not actioned' (ie 'identified' and 'no') and agencies reporting not having this strategy by topic.*

3.6.1 Publication Schemes

A publication scheme is a structured list of information that an agency makes routinely available, free of charge wherever possible. Under the RTI Act every agency must have a publication scheme.[18] Agencies that reported having implemented a publication scheme indicated a high level of compliance with the obligations for publication schemes (89% of responses 'underway or completed'). The number of agencies having publication schemes varied significantly between different types of agencies. All departments, universities, statutory TAFE institutes and GOCs reported having publication schemes. The local government, hospital and health services and other agency sectors reported significant numbers of agencies without publication schemes. Agencies in these sectors require further work and support in this area to achieve full compliance. Chart 5 depicts the proportion of agencies having a publication scheme per sector and their associated compliance with the publication scheme obligations.

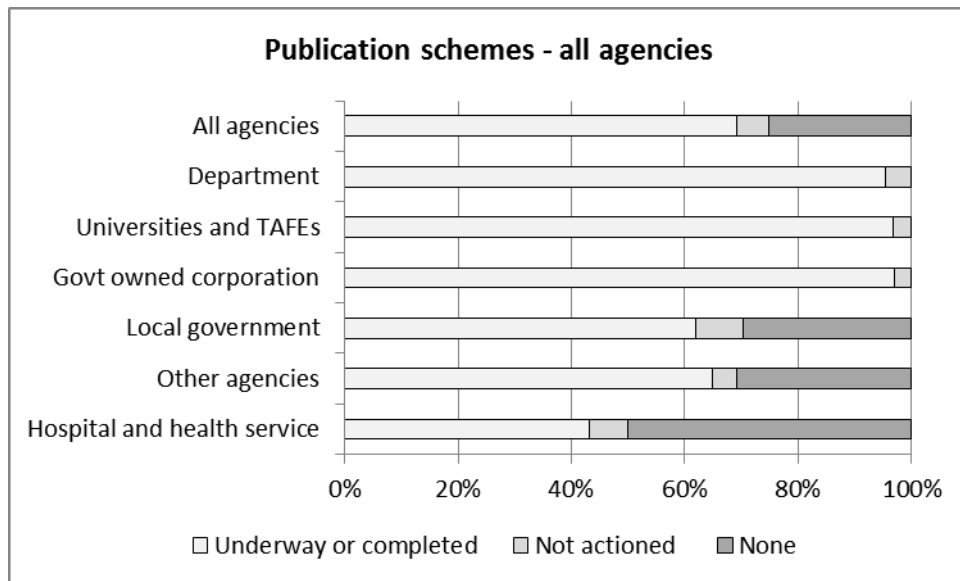
[18] Section 21(1) of the RTI Act.

Chart 5: *Proportion of responses of 'underway or completed' (ie 'yes' or 'in progress'), 'not actioned' (ie 'identified' and 'no') and agencies reporting not having a publication scheme.*

Under half of agencies reported that they thought their publication scheme was of high quality (45%), half of medium quality (49%) and nine agencies reported that their publication scheme was of low quality.

Agencies with publication schemes reported very strong compliance (89% to 97% fully implemented) with obligations to include information on their publication scheme including making sure information is appropriate and accurate, making the scheme readily accessible, minimising charges and providing direct links to documents. These are the types of areas where agencies reported higher compliance in 2010. Weaker performance (73% to 83% fully implemented) was reported in four areas. Two areas related to easy accessibility of documents on the publication scheme by ensuring documents are no more than 3 mouse clicks away and that a summary and access arrangements are provided when a direct link is impractical (e.g. due to the size of the document). The other two areas were: publishing the terms and charges for access though the publication scheme; and documenting changes and approval to the publication scheme. These continued to show a similar pattern of reported weaker performance as in 2010.

3.6.2 Disclosure Log

Disclosure logs are a part of an agency's website containing a list of documents that an agency has already released under the RTI Act. Where possible there should be a direct link to enable access to the released document. The rationale for disclosure logs is that if one person has expressed an interest in documents containing information other than their own personal information, then these same documents might be of interest to others. Disclosure logs are

mandatory for departments and Ministers but optional for other agencies. Agencies that implement a disclosure log must comply with the requirements under the RTI Act and Ministerial Guidelines.

While 134 agencies reported having received applications under the RTI and IP Acts, only 128 reported having a disclosure log.[19] Of these, 69 reported that their disclosure log was empty. The OIC notes that not all material released under the RTI Act is suitable for publication on a disclosure log. However, this appears to be an area for improvement and agencies should review their decision-making processes for publication to the disclosure log. Chart 6 depicts the proportion of agencies having a disclosure log and with an empty disclosure log per agency sector.
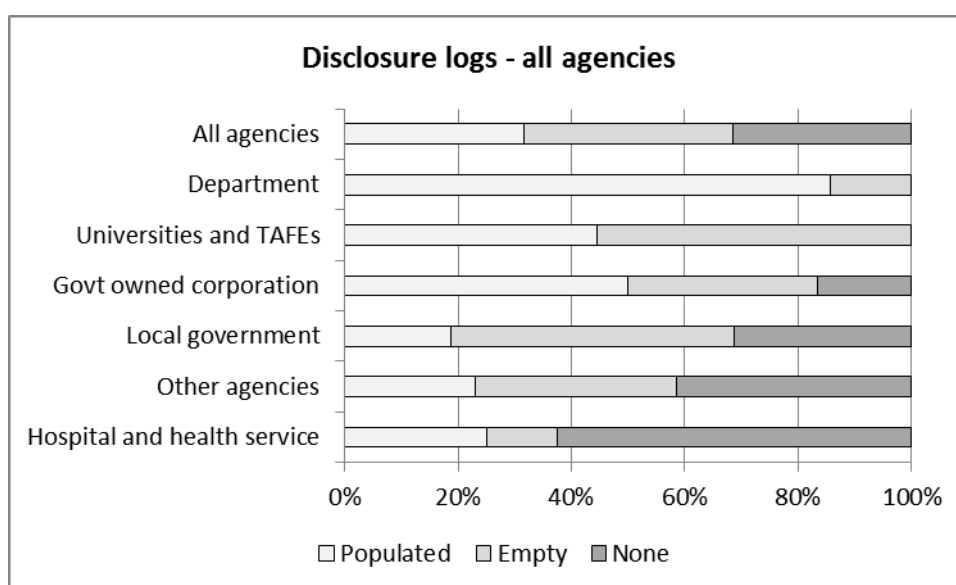

Chart 6: *Proportion of agencies in each sector reporting that they have a disclosure log with documents on it 'populated', an empty disclosure log 'empty' or no disclosure log 'none'.*

3.6.3 Administrative Access

Administrative access describes an arrangement to provide certain information to people more simply and efficiently than through the formal legislative application process. Administrative access, in particular, is an area which demonstrates that an agency is operating in accordance with the spirit of openness and accountability in the RTI and IP Acts. Legislative processes for people seeking information are intended to be used as a last resort.[20] An agency which actively supplies information administratively is operating according to the intention of the legislation.

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[19] OIC notes that an agency does not publish documents to their disclosure log until the application is finalised. As the period for which agencies reported applications was over almost three years it is expected that agencies that reported receiving an application would have finalised one or more prior to completing the electronic audit.
[20] Section 2 of the Preamble to the RTI Act.

The electronic audit reviewed agency performance in having one or more administrative access schemes, implementing new schemes, introducing new information into existing schemes, accessibility and design of schemes and evaluation of schemes to make sure they are viable.

Departments, universities, TAFES and hospital and health services all reported high levels of having administrative access schemes. Local governments reported the lowest frequency of having administrative access schemes with only one in three reported having at least one scheme in operation. The local government sector may find administrative access schemes useful due to their direct interaction with the public and volume of service delivery transactions. In response to administrative access audit questions, Chart 7 depicts agencies by sector with their proportion of having one or more administrative access schemes and actioning the related items.
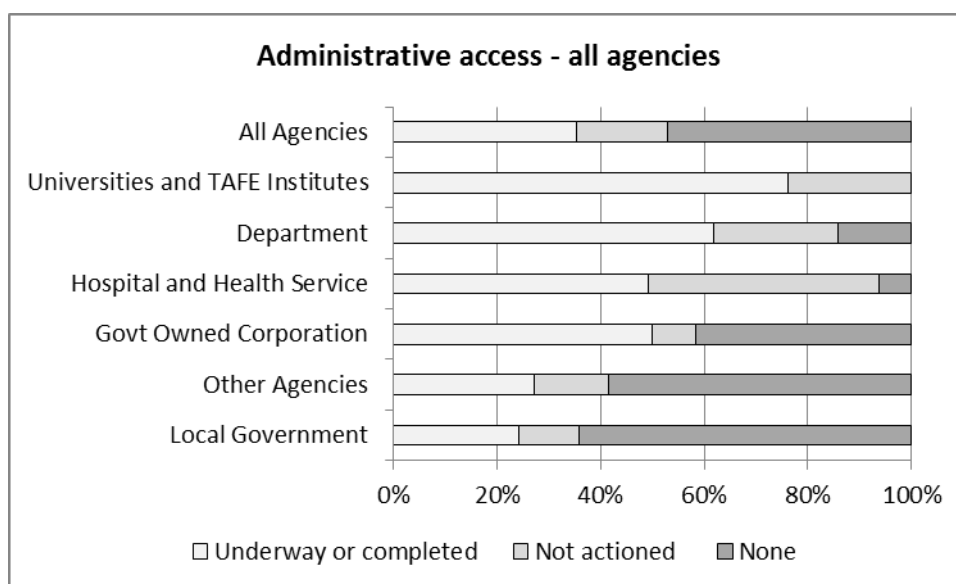
Chart 7: *Proportion of responses of 'underway or completed' (ie 'yes' or 'in progress'), 'not actioned' (ie 'identified' and 'no') and agencies reporting not having an administrative access scheme.*

Only 62 agencies (33%) reported that they had or are in the process of either implementing a new administrative access scheme since commencement of the RTI Act in 2009 or introducing new information into an existing administrative access scheme.

For administrative access schemes it is important that they are readily accessible by the public and that they are reviewed to ensure that they are organised to address user needs, for example, to make it clear who can apply and what information types are available. Agencies also reported that more work is required to make sure existing administrative access schemes are readily accessible (35 agencies) and that existing administrative access schemes are evaluated to ensure they are viable (39 agencies).

3.7   Governance and Policy Development

Leadership within agencies is critical to effectively implement the 'push model' under the RTI and IP Acts. Agency management is expected to treat RTI and IP obligations as a leadership priority, so that Right to Information and Information Privacy become a cornerstone for building community confidence in open and accountable government.

An information governance body is an important primary driver for change and for strategic information management of the RTI and IP processes. The OIC has found that if an agency reports an active information governance body, the agency is also likely to report better progress on implementation of RTI and IP obligations across the board.

Agencies reported improved performance in governance with 16 percentage points more obligations fully implemented in 2013 than in 2010. Agencies again identified a need for further development and implementation, as indicated by the level of responses to these questions as being 'identified' or 'in progress' (21% of responses). OIC also noted that three departments have yet to appoint an Information Champion in line with the Queensland Government Enterprise Architecture (QGEA) guideline on implementing information governance, a mandatory requirement for departments.[21] Strong governance and policy development was again linked to higher reported performance on a range of other audit questions. Agencies reporting more activity at the strategic level, also reported more progress in response to other questions. Agencies that reported having roles and responsibilities of the Principal Officer (Chief Executive Officer /Director-General) or the Principal Officer's delegates clearly defined, reported higher compliance overall than agencies that reported that they had not yet defined these roles.

Documented policies and procedures are a valuable resource for staff and clients of agencies and provide clarity, consistency and efficiency when delivering services to meet legislative obligations. Almost a third of agencies (31%) reported not having policies or procedures to give effect to the RTI and IP legislation. An additional 7% report not having their RTI and IP policies and procedures documented. The local government, hospital and health service and other agencies sectors all reported significant numbers of agencies without documented policies and procedures that include RTI and IP provisions.   Chart 8 depicts the proportion of agencies for each sector which have implemented policies and procedures to give effect to the RTI and IP legislation and whether these polices are documented.

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[21] Viewable at http://www.qgcio.qld.gov.au/products/qgea-documents/548-information/2373-implementing-information-governance-guideline at page 6 of 12, which references the Queensland Government Chief Information Office, *QGEA Information position,* 2009.
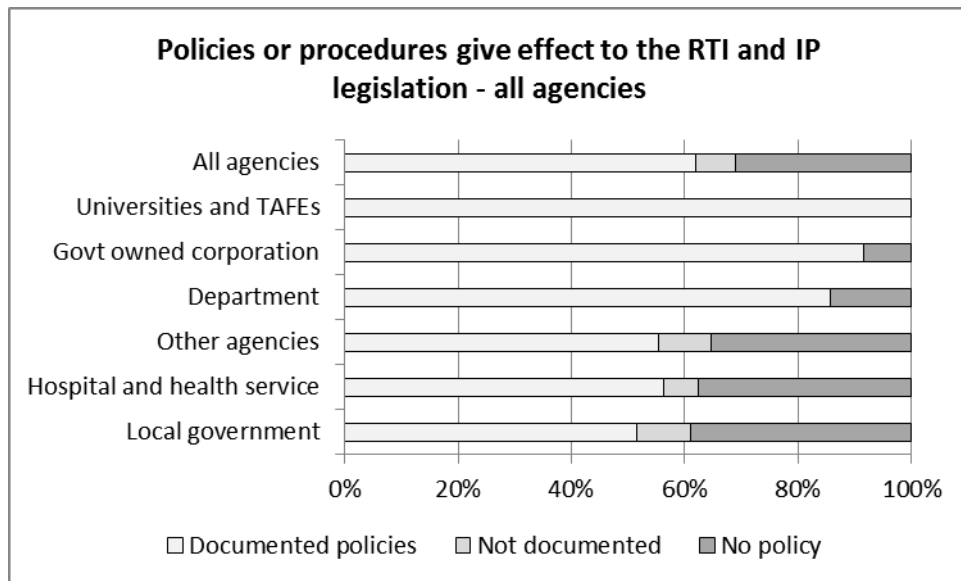
Policies or procedures give effect to the RTI and IP legislation - all agencies

Chart 8: *Proportion of agencies in each sector reporting that they have policies or procedures to give effect to the RTI and IP legislation and whether these procedures are documented.*

Valuable components of the RTI and IP obligations which should be considered when creating and maintaining agency policies and procedures include compliance with the privacy principles, processes for the administrative release of information, procedures for publishing to the publication scheme and disclosure log, and application handling procedures and delegations.

Those agencies with documented policies and procedures reported that they are fully implemented and are complete and easy to understand (99% underway or completed).

There is more work to be done by agencies in ensuring that formalised policies or procedures are established to give effect to the RTI and IP legislation.

3.8 Training and Awareness Raising

The 2010 audit responses identified that training, particularly general awareness training for all staff, was an important driver for agency compliance with RTI and IP obligations. It is important for all employees in public sector agencies to understand their role in their agency's commitment to and facilitation of open and accountable government. Important information for agency staff includes: their obligations to comply with the privacy principles and what that means for their role in the organisation; knowledge of agency processes to release information proactively, informally, including through administrative access schemes, and through the formal application process; how to respond to requests for documents by the unit processing formal applications; and record keeping responsibilities.

OIC noted that agencies reported an improvement in the delivery of appropriate training and resources in 2013 with 64% fully implemented (18 percentage points more than 2010). More

development is still required in this area as agencies reported that there is still a below average level of implementation and an above average level of 'in progress' or 'identified' responses. Chart 9 depicts these results.
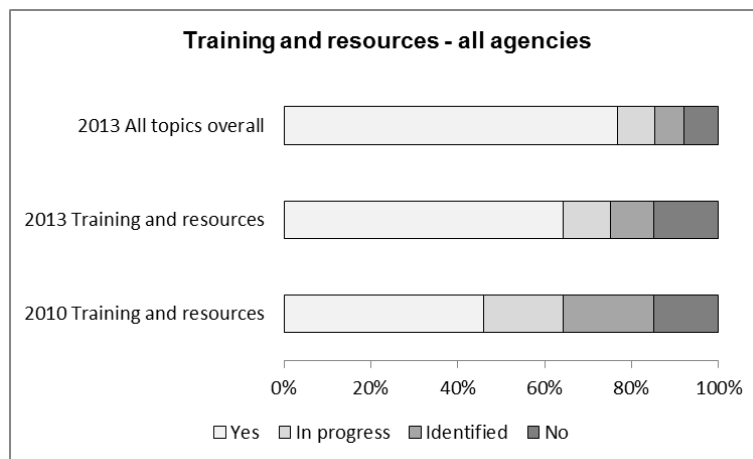

Chart 9: *Proportion of responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') for the training and resources topic over all agencies in 2013 in comparison to 2010 and to responses over all topics.*

A quarter (25%) of agency responses indicated that training and resources has not been actioned. This shows that while there has been a significant improvement from 2010, agencies require further work and support in this area to ensure that appropriate training and resources are available to all staff in order for them to meet their RTI and IP obligations.

Comments this year showed that agencies have, on the whole, moved towards implementing training and resources within their agency. However, some agencies commented that they are unaware of training availability or that no in-house training is provided.

The OIC offers a wide range of information to assist agencies to implement their obligations, such as Guidelines, Information Sheets and annotated legislation. Further, a number of training options are available and include topic specific workshops, agency tailored sessions and a suite of e-learning courses have recently come online. These flexible delivery methods offer agency staff a potential training opportunity regardless of their role, position or geographical location. All agencies are encouraged to utilise these resources which are available on the OIC website.

Conclusion

This is the second electronic audit of self reported compliance with legislative and related obligations to provide a broad measure of Queensland government agencies' progress in meeting RTI and IP obligations. The first electronic audit was conducted in 2010 and established a baseline upon which future performance can be measured.

The OIC has identified that at this point in time, considerable progress has been made in agencies implementing RTI and IP obligations, particularly in application handling.

However, more work is required to fully realise the push model and to reach full compliance with the RTI and IP Acts. Significant attention is still required to make more government-held information accessible to the community as a matter of course. The RTI Act promotes the release of information and makes it clear that formal access applications under the RTI Act should be used only as a last resort. Publication schemes, disclosure logs and administrative access schemes are important strategies for the proactive disclosure of information; however agencies have reported significantly less progress regarding such strategies.

Governance and policy development is also an important driver for change and for strategic information management. Strong governance and policy development was again linked to higher reported performance. It is critical that agencies treat RTI and IP as a leadership priority, so that Right to Information and Information Privacy become a cornerstone for building community confidence in open and accountable government.

OIC will use the results of this report to inform the Queensland Government's current review of the RTI and IP legislation. OIC will also use the results of the audit to prioritise training and information resources, and performance monitoring activities. Future electronic audits will be able to assess agency progress towards full compliance.

OIC is grateful for and thanks agencies for their comprehensive support and co-operation in undertaking this self audit.

Appendix 1 – Commonly used acronyms

GOC	Government owned corporation
HHS	Hospital and Health Service (HHS)
ID	Identified
IP	Information Privacy or 'in progress' depending on context
IP Act	*Information Privacy Act 2009* (Qld)
IPP	Information Privacy Principle
Ministerial Guidelines	Ministerial Guidelines – Operation of Publication Schemes and Disclosure Logs
NPP	National Privacy Principle
OIC	Office of the Information Commissioner
QCAT	Queensland Civil and Administrative Tribunal
QGEA	Queensland Government Enterprise Architecture
RTI	Right to Information
RTI Act	*Right to Information Act 2009* (Qld)
TAFE	Technical and Further Education

Appendix 2 – Methodology

Introduction to the electronic audit

The electronic audit is a performance monitoring strategy that provides the greatest breadth of coverage, by requiring all in-scope agencies to self-assess their compliance with legislative obligations under the *Right to Information Act 2009* (Qld) (RTI Act) and *Information Privacy Act 2009* (Qld) (IP Act). OIC has a suite of performance monitoring strategies designed for breadth and depth. For example, compliance reviews of individual agencies provide in-depth monitoring for agencies assessed as higher risk.

The electronic audit was introduced in 2010 - one year after the RTI and IP legislation commenced. This is the second time the electronic audit has been conducted. Through the electronic audit, OIC reviews performance across all agencies within a risk management context and as each successive electronic audit is conducted, will be able to build a longitudinal picture of agency progress in addressing strategic and operational issues over time. The electronic audit also enables emerging issues to be identified.

The electronic audit covers all auditable agencies. It is administered simultaneously to all agencies, regardless of size, location in the state or maturity in terms of the RTI and IP Acts. The electronic audit works by self-assessment, a method that is appropriate to monitor low risk issues across all agencies. In addition to performance monitoring, this electronic audit instrument is intended to be of assistance to agencies because it provides, in one document, a list of all the legislative obligations and an assessment for agency management of areas requiring improvement to meet those obligations. It acts to remind agencies of their obligations under the RTI and IP Acts and helps encourage greater compliance. Agencies can use the electronic audit as a reference tool or as a training resource within the agency.

Questionnaire design

The electronic audit has been updated to reflect the current legislative obligations placed on agencies, including recent amendments regarding disclosure logs.[22] 14 new questions have been introduced, 30 questions have been altered and 3 questions have been removed.

OIC contracted with the Government Statistician to develop an interactive, online survey tool to conduct the electronic audit in 2013, as opposed to issuing a Microsoft Word form, as used in 2010.

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[22] Since the electronic audit was first created and used in 2010, the *Right to Information and Integrity (Openness and Transparency) Amendment Act 2012* (passed 11 December 2012 and commenced 22 February 2013) and updated Ministerial Guidelines (February 2013) have been introduced.

The online tool enabled OIC and the Government Statistician to take advantage of the superior functionality of an electronic online form:

- The audit questions were able to be completed and submitted online, saving time and effort for agencies in reproducing and completing a document.

- The software asked a series of nine 'gateway' questions that filtered subsequent questions asked. For example, one gateway question asked agencies whether or not they operated a disclosure log. If they answered that they did not, all subsequent questions about the operation of a disclosure log were skipped and not presented to the agency for a response. This removed questions irrelevant for each agency, removed confusion and reduced time required to respond.

- If an agency answered a question as having full implementation in 2010, that question was not re-presented to that agency in 2013 (with some exceptions). This reduced the number of questions each agency was required to answer in 2013, particularly agencies who had already made significant progress in 2010.

- Agencies were only asked questions relevant to their agency type. For example, departments were asked questions relevant only to departments and Government owned corporations were not asked about compliance with the information privacy principles.

- In 2013, questions could not be left unanswered before moving to the next page. This resulted in the submitted agency responses being complete. As a result, the 2013 process did not have the issue that occurred in 2010 where some agencies did not provide an answer to some questions applicable to their agency.

- The online tool allowed monitoring of agency progress in completing the audit. This facilitated follow-up of non-responding agencies.

These functionalities enabled OIC to streamline the audit instrument and reduce the number of questions required to be answered by many agencies. Departments and agencies that had not completed the electronic audit in 2010 were required to answer all questions relevant to their agencies. For example, new hospital and health services.

As a result, while there were 199 questions on the updated electronic audit (14 more than in 2010) on average agencies were only required to answer 110. Departments were required to answer all questions that applied to them. Agencies that had completed the electronic audit in 2010 were only required to answer 85 questions on average in 2013.

The online audit tool is now a resource available to the Government Statistician and OIC for future conduct of the electronic audit. It will continue to streamline the process and reduce the administrative requirements of the audit, while ensuring high quality responses.

Response Options

For nearly all of the questions listed in the electronic audit, the agency had an option to answer in one of four ways: 'yes', 'in progress', 'identified' or 'no' as defined in Table 1.

Table 1

Response options for the electronic audit

Option:	Use this response option when:
Yes	A system, policy, strategy or process has been implemented in full across the agency.
In progress	Management has decided on a particular course of action and implementation has commenced or is complete in part but not all of the agency.
Identified	Management has identified this as an issue, but has not yet commenced to address the issue.
No	There are no strategies in place, and no immediate plans to pursue them.

Administration of Electronic Audit

In late February 2013 the Information Commissioner wrote to all agencies assessed as auditable informing them of the electronic audit and asking them to nominate a contact officer.

The audit was administered online between 25 March and 28 May 2013. On 25 March the Office of the Government Statistician emailed contact officers explaining the background to the audit and providing details of how to access the online audit. Agencies were required to complete the audit by 22 April 2013.

On 20 March 2013, OIC conducted an online seminar (a webinar) explaining the online audit process to agencies and providing training in how to complete the audit. 41 people attended the webinar, 9 from regional areas of Queensland. Over half of the attendees (51%) were from statutory authorities or local governments. The webinar was then made available on the OIC website for viewing as a recorded session.

Reminders were conducted by email and telephone for non-responding agencies.

Email reminders were sent to all non-responding agencies on 9 and 16 April 2013. On 23 April 2013 non-departments were followed up by email and departments by telephone. On

30 April 2013 non-departments were followed up by telephone. OIC performed a further two weeks of telephone follow up, ending on 20 May 2013. One department was allowed additional time, responding on 28 May 2013.

At the start of the audit, respondents were able to print a list of questions they may have been required to answer, and at the end, were able to print a summary of the questions along with the answers they gave.

OIC supported agencies, where requested, to assist them to complete their electronic audit.

These strategies contributed to an excellent response rate. OIC received 187 responses from 205 agencies in-scope: a response rate of 91.2%.

The Office of the Government Statistician sent all the collated responses to OIC for analysis in late June 2013.

Response Rate

The OIC and the Office of the Government Statistician co-operated to implement a number of measures to improve the response rate to the electronic audit in 2013. As a result the response rate improved from 79 per cent in 2010 to 91 per cent in 2013 of auditable agencies. The OIC wishes to thank all responding agencies for their co-operation. The target overall response rate was 75%, while for departments it was 100% (both targets were achieved).

The complete list of agencies covered by the RTI and IP Acts (defined by sections 14, 15 and 16 of the RTI Act) is constantly changing. Prior to administering the electronic audit in 2013 the OIC underwent a process to refresh its list of auditable agencies. As a result 209 agencies were identified as auditable under the RTI and IP Acts. In administering the audit, four agencies had either ceased to operate or claimed to not be within the jurisdiction of the RTI Act or IP Act, and thus were determined to be out-of-scope. These agencies were not included in this analysis.

In 2013, the Office of the Government Statistician gave the electronic audit tool to 209 agencies to complete and return. 187 completed electronic audits were returned, an overall response rate of 89 per cent. Only 18 agencies did not respond at all. Taking out the 4 agencies who were out-of-scope, the effective response rate was 91 per cent. That is, 187 out of 205 agencies, from which responses could be expected, responded. This is an extremely good response rate for an audit of this nature. Table 2 shows the make-up of responding and non-responding agencies.

Table 2 Response rate by agency type

Status	In-scope responding	In-scope non-response	Total in-scope	Response rate (%)
Departments	21	0	21	100.0
Local governments	64	9	73	87.7
Universities and TAFEs	9	0	9	100.0
Government owned corporations	12	0	12	100.0
Hospital and health services	16	1	17	94.1
Other agencies	65	8	73	89.0
Total	**187**	**18**	**205**	**91.2**

The response rate varied by agency type. All agency types exceeded the overall target response rate of 75 per cent. All departments, Government owned corporations and universities and TAFEs responded. The lowest response rates were 88 per cent for local government and statutory authorities. The local governments that did not respond were relatively small organisations in remote or regional locations.

Confidentiality

OIC has undertaken to treat data collected in this electronic audit as confidential and to de-identify data before publication. OIC adopted this course of action to encourage frank responses and to ensure a reasonable rate of response. As a result the provided comments have been de-identified for inclusion in this report.

At the commencement of the audit, OIC advised agencies that agencies that failed to complete the 2013 audit will be named in the aggregate report to Parliament. All departments responded. Due to the very high response rate and the nature of the 18 non-responding agencies, it has been determined that publication of the names of these agencies is not necessary.

OIC will use the individual agency results from this exercise to contribute to the risk assessment of agencies and the planning of future performance monitoring reviews, and training, awareness and assistance activities to improve agency compliance.

Analysis

OIC performed four types of analysis: an overall analysis, an analysis per agency type, an analysis per question and an analysis for related questions in topic groups. Topics were created by grouping like questions into sets. For example, 19 questions related to the way in

which applications were handled. These were treated as a topic called 'application handling'. A list of questions per topic is included on the OIC website.[23]

For the majority of questions (177 out of 199 questions), agencies assessed and reported their performance based on a standardised scale. The responses to 8 additional questions were converted to this scale. This report's analysis covers the 185 questions based on this response scale.

This analysis has involved simple counts and percentages of responses in categories, examination of the change between 2010 and 2013 responses and analysis of patterns. Unusually high or low results were examined.

Where agencies answered 'no' to the gateway questions, on having a publication scheme or having documented policies and procedures for the purpose of analysing compliance within a topic the agency was taken to have answered 'no' to all the associated questions which they did not have to complete.

Looking at the agencies' responses to obligations within a topic, if more than 80 per cent of their responses were 'yes', then that topic was considered as having a 'significant level of reported full compliance' across all agencies. For 'in progress', 'identified' or 'no' then the topic was considered as having a significant level reported if 20 per cent of agencies reported that level of compliance.

OIC has examined patterns of responses occurring for topics and for agency types, and has reported on the most significant trends that were identified.

OIC cross checked agencies' responses in regards to receipt of applications, internal review, external review and publication on disclosure logs against the *Right to Information Act 2009 and Information Privacy Act 2009 Annual Report 2010-2011*. This check verified that agency responses were consistent overall with those reported in the annual report (only 7 discrepancies were identified out of 246 responses checked).

OIC has not independently verified the agencies' self reported progress. Verification of the agencies' responses will occur for some agencies through other types of OIC performance monitoring reviews.

Data Cleaning

The online tool ensured that the data collected was generally of a high standard but a small amount of data cleaning was required. Due to agencies changing answers to gateway

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[23] *2013 electronic audit - List of questions by topic available on the OIC website at* http://www.oic.qld.gov.au/about/our-organisation/key-functions/compliance-and-audit-reports.

questions, and considering their responses from 2010, some agencies had responses to questions that were not applicable to their agency. These responses were removed from the results. In addition, adjustments were made to some responses to question A4.1a which asked for the number of staff performing RTI/IP functions and question A5.1b the number of staff who attended training to apply consistency across agencies. Some agencies had clearly incorrectly responded with, for example the total number of staff.

Treatment of Comments

In addition to the standard response categories for each question, the electronic audit provided agencies with the opportunity to comment in relation to individual questions. In particular, agencies were encouraged to provide comments in relation to areas in which they were not yet compliant, for example, to comment on their plans and timeline for implementation.

Almost all agencies took advantage of this opportunity to provide a range of information and feedback both on their individual performance, their assessment on the applicability of the requirement to their agency and on the electronic audit itself. Almost 2,500 comments were received in total. The volume, variety and length of the comments varied for each question.

A complete list of de-identified comments is provided in supplementary material, on a question by question basis.[24]

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[24] *2013 electronic audit - Comments by agencies* available on the OIC website at http://www.oic.qld.gov.au/about/our-organisation/key-functions/compliance-and-audit-reports.

Appendix 3 – Results per Agency Type

Department Performance

Queensland Government departments process around 74% of all applications for information.[25] Many departments provide oversight, advice and services to other government agencies, including providing a publication scheme for another agency. As a result, departmental compliance has a significant impact on how effectively RTI and IP obligations are met across the sector, and therefore outcomes for the community. Since 2010 there has been a significant restructure of departments, with the number of departments reviewed in the 2013 audit increasing by eight.

Overall Performance

Departments reported strong performance in implementing RTI and IP obligations. Departments reported that 82% of obligations under the RTI and IP Acts had been implemented in full. Overall only 6% of the obligations under the RTI and IP Acts were identified by departments as having not been addressed partially or in full, or as being in the process of implementation, in comparison to 15% for agencies overall. Departmental performance has slightly improved from 2010 with an additional 2% of obligations met in full. Chart 10 depicts the proportion of responses and non-responses of 'under way or completed' and 'not actioned' by departments in comparison to 2010 and other agencies.
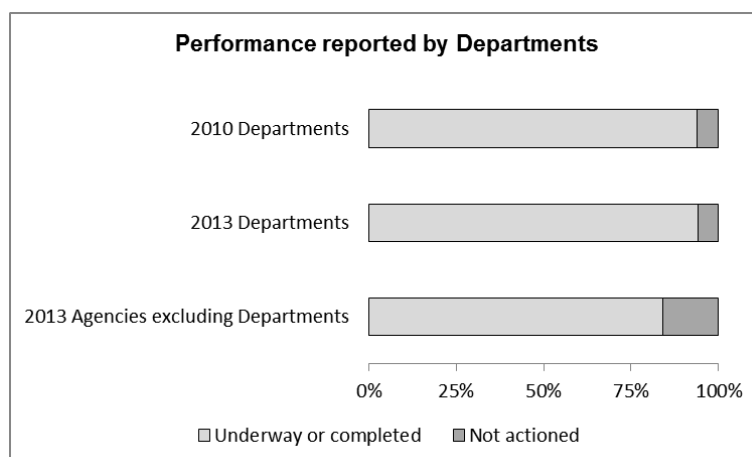

Chart 10. *Proportion of responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') for departments in 2010 and 2013 vs the remaining agencies.*

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[25] *Right to Information Act 2009 and Information Privacy Act 2009 Annual Report 2010-11* (Appendices) percentage of number of applications finalised in 2010-11 by departments in comparison to all agencies.

Performance by Topic

The departments identified application handling, engagement with applicants, internal review, publication scheme, disclosure log, record keeping and roles, responsibilities and authorisations as the areas with the greatest levels of full or partial implementation. The areas of administrative access, complaint handling, performance monitoring and staffing resources were identified as having the most room for improvement.

Departments had the highest reported level of improvement from 2010 in the areas of community consultation, policy development and oversight and performance monitoring. As in 2010, significant levels of in progress were reported in the areas of privacy, adopting a 'push model' to maximise disclosure and training and resources (23% to 24%). These results are depicted in Chart 11 which shows the average reported implementation across departments for all 19 topics.
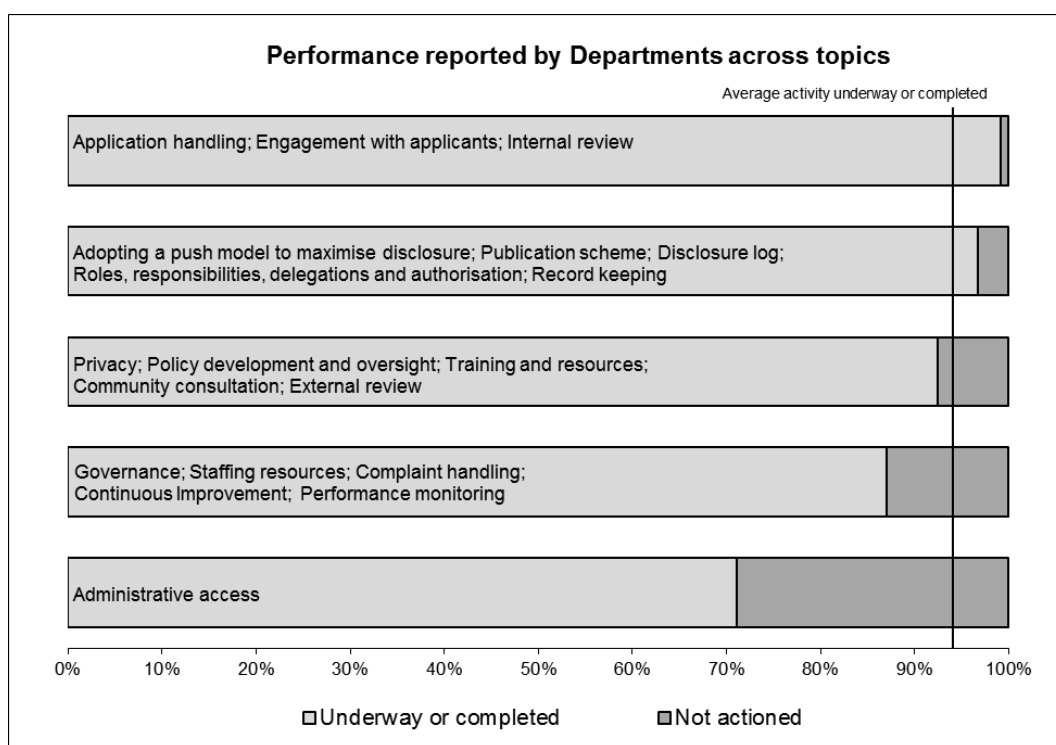

Chart 11: *Proportion of departmental responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') by topic.*

Local Government Performance

Local government is the primary government contact for many citizens, and as a result, local governments handle large volumes of information based transactions. Local governments have frequent contact with the public seeking information about such things as development applications or when conducting business, through libraries, websites and call centres.

Overall Performance

Local government reported good progress in implementing RTI and IP obligations since 2010 with an improvement of 17 percentage points in regards to activities underway or completed. However, as Chart 12 shows considerable further progress is required. Local government reported lower levels of full implementation across every topic than agencies overall.

Chart 12. *Proportion of responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') for local government in 2010 and 2013 vs the remaining agencies.*

Performance by Topic

Local government identified application handling, including engagement with applicants, internal and external review as the area with the greatest levels of full or partial implementation. The areas of administrative access, community consultation, continuous improvement, performance monitoring, policy development and publication scheme were identified as having the most room for improvement.

Local government had the highest reported level of improvement from 2010 in the areas of administrative access, performance monitoring, internal and external review, continuous improvement and disclosure log. There was the least improvement from 2010 in the areas of engagement with applicants and publication scheme. These results are depicted in Chart 13 which shows the average reported implementation across local government for all 19 topics.

Performance reported by Local Government across topics

Average activity underway or completed

Topic	
Application handling; Engagement with applicants; Internal review; External review	
Roles, responsibilities, delegations and authorisation; Privacy; Disclosure log; Complaint handling	
Governance; Training and resources; Staffing resources; Record keeping	
Adopting a push model to maximise disclosure; Publication scheme; Administrative access; Community consultation; Continuous Improvement	
Policy development and oversight; Performance monitoring	

□ Underway or completed   ▨ Not actioned

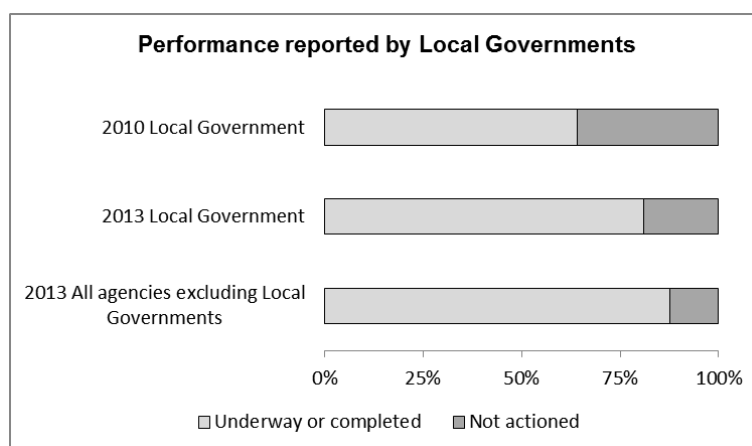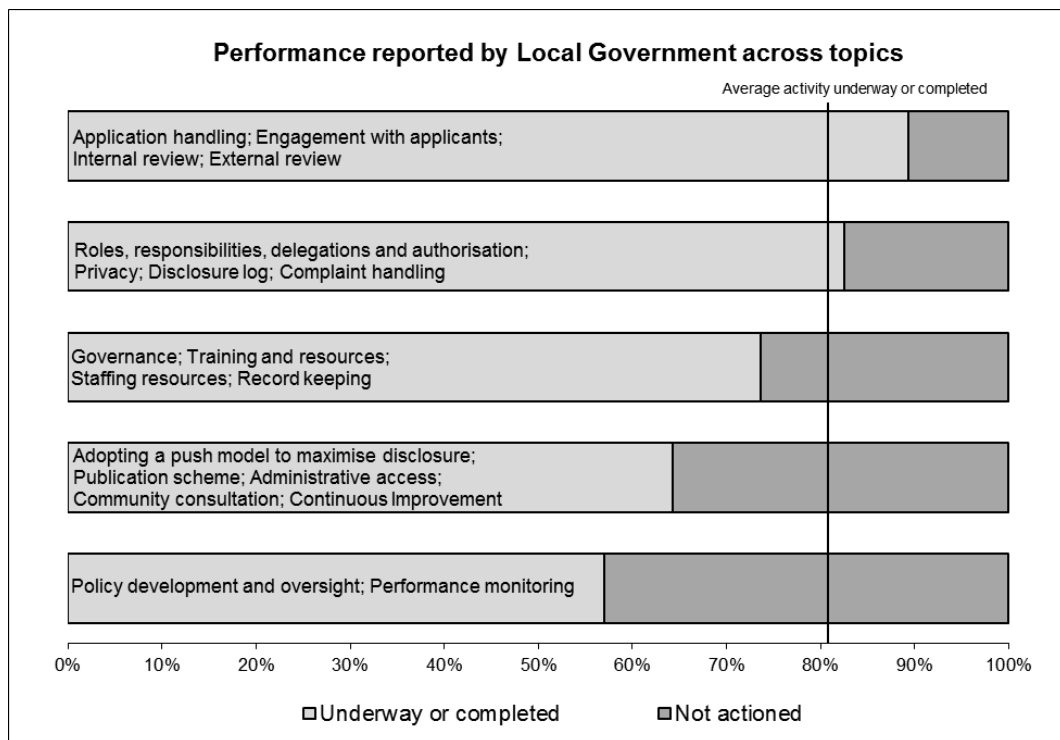***Chart 13****: Proportion of local government responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') by topic.*

University and TAFE Performance

Seven government funded universities and two independent statutory TAFE institutes were provided with the electronic audit.

Overall Performance

Universities and statutory TAFE institutes reported strong performance in implementing RTI and IP obligations. The university and TAFE sector reported that 85% of obligations under the RTI and IP Acts had been implemented in full. Overall only 8% of the obligations under the RTI and IP Acts were identified as having not been addressed partially or in full, or as being in the process of implementation, in comparison to 15% for all agencies. University and TAFE performance has improved from 2010 with an additional 10 percentage points of obligations met in part or full. Chart 14 depicts the proportion of responses and non-responses of 'under way or completed' and 'not actioned' by the university and TAFE sector in comparison to 2010 and other agencies.
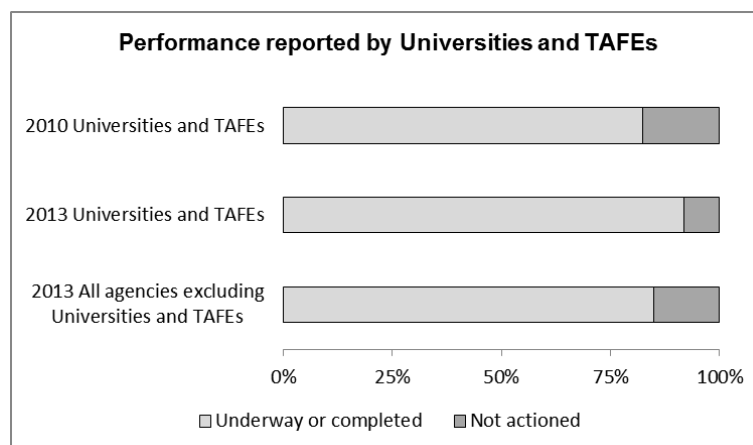

Chart 14. *Proportion of responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') for universities and TAFEs in 2010 and 2013 vs the remaining agencies.*

Performance by Topic

The university and TAFE sector identified application handling, governance, internal review, policy development and oversight, publication scheme and staffing resources as the areas with the greatest levels of full or partial implementation. The areas of administrative access, adopting a push model to maximise disclosure, community consultation and performance monitoring were identified as having the most room for improvement.

The university and TAFE sector had the highest reported level of improvement from 2010 in the areas of administrative access, performance monitoring and training and resources. As in 2010, significant levels of in progress were reported in the areas of performance monitoring, continuous improvement and training and resources (19% to 22%). These results are depicted in Chart 15 which shows the average reported implementation across universities and TAFEs for all 19 topics.
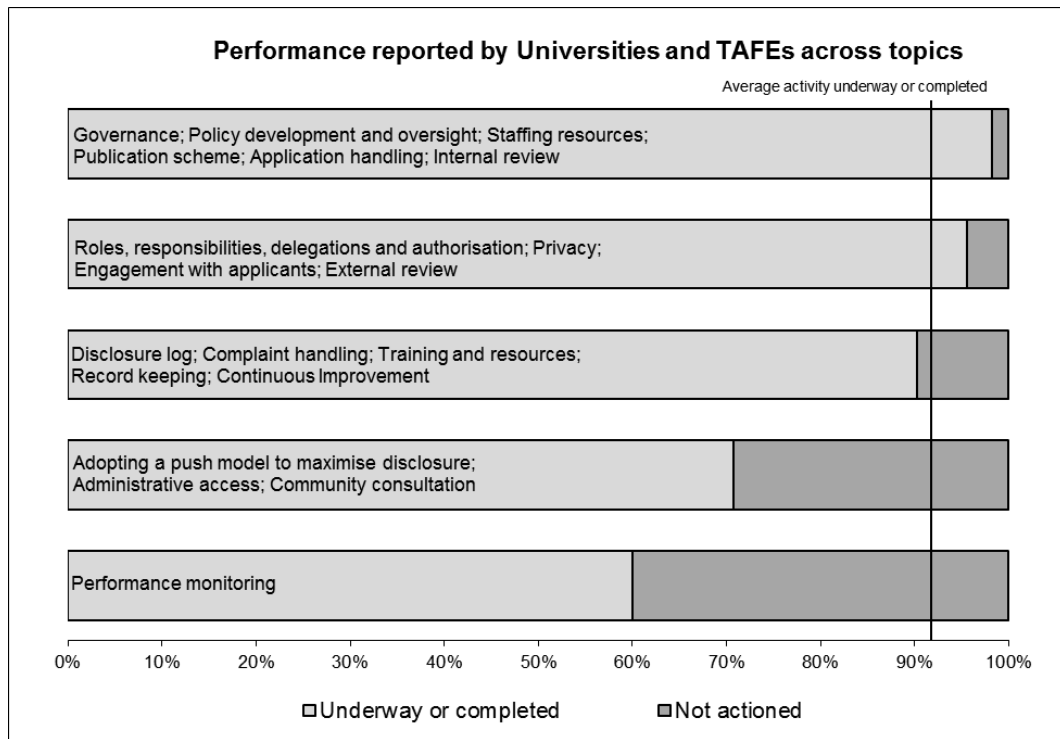

Performance reported by Universities and TAFEs across topics

Average activity underway or completed

Topic	
Governance; Policy development and oversight; Staffing resources; Publication scheme; Application handling; Internal review	
Roles, responsibilities, delegations and authorisation; Privacy; Engagement with applicants; External review	
Disclosure log; Complaint handling; Training and resources; Record keeping; Continuous Improvement	
Adopting a push model to maximise disclosure; Administrative access; Community consultation	
Performance monitoring	

□ Underway or completed   ▣ Not actioned

Chart 15: *Proportion of university and TAFE responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') by topic.*

Government Owned Corporation Performance

Government owned corporations (GOCs) are Queensland Government owned trading enterprises which conduct activities and provide services in a commercially-orientated environment. GOCs are regulated under the *Government Owned Corporations Act 1993*. GOCs are specifically mentioned in the RTI Act and must comply with the requirements of the Act as they apply.

Overall Performance

GOCs reported the best overall compliance of any government sector in implementing RTI and IP obligations with 95% of the obligations reported as implemented in part or full. The GOC sector has reported a 14 percentage point improvement in implementation since 2010 with regards to activities underway or completed. Chart 16 shows their strong reported performance.
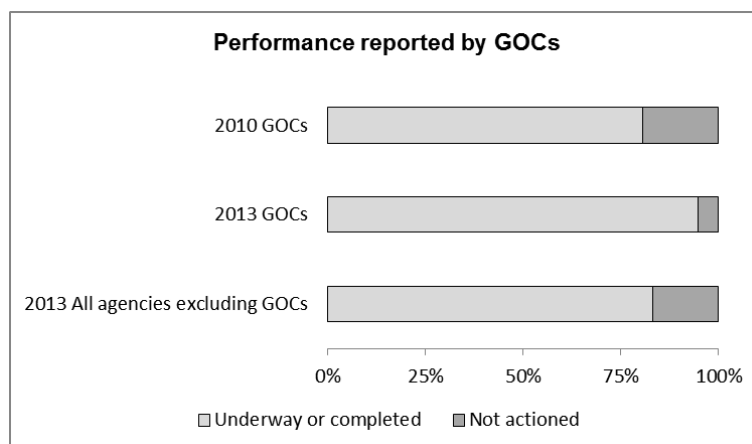

Chart 16. *Proportion of responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') for GOCs in 2010 and 2013 vs the remaining agencies.*

Performance by Topic

GOCs identified adopting a push model to maximise disclosure, application handling, internal and external review and staffing resources as the areas with the greatest levels of full or partial implementation. The areas of administrative access, community consultation, complaint handling, continuous improvement and performance monitoring were identified as having the most room for improvement.

GOCs had the highest reported level of improvement from 2010 in the areas of performance monitoring, administrative access and disclosure log. Considerable improvement from in progress to fully compliant was reported across more than half of the topics. The area of performance monitoring was reported as significantly in progress (30%), as reported in 2010. These results are depicted in Chart 17 which shows the average reported implementation across GOCs for all 19 topics.
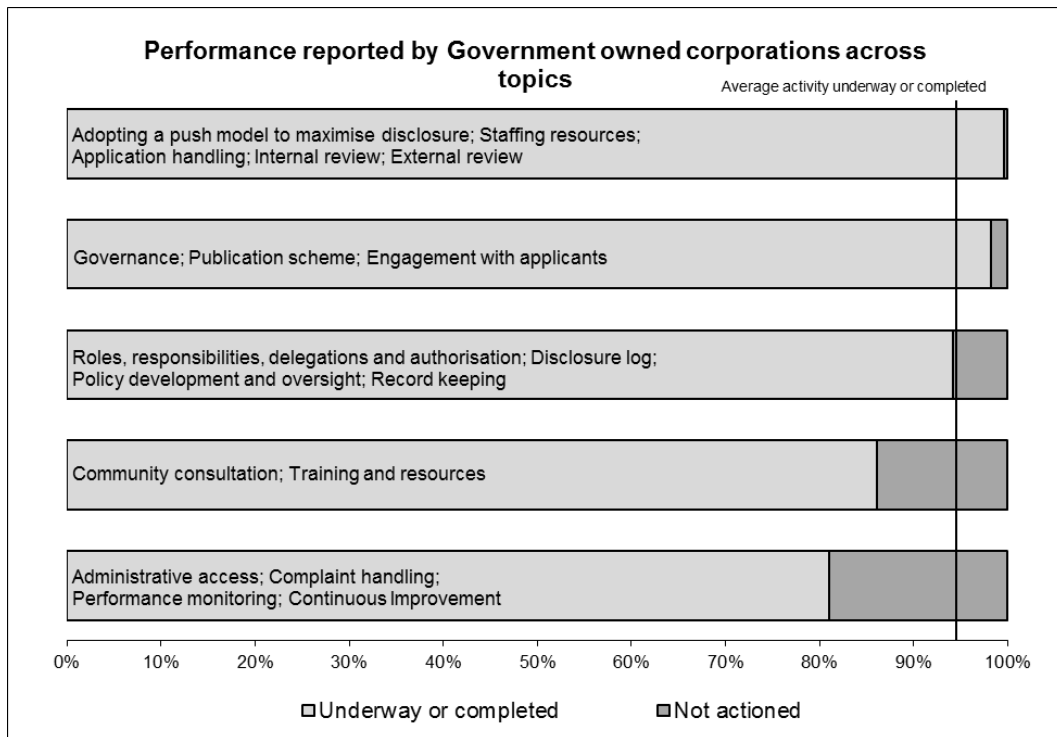

Performance reported by Government owned corporations across topics

Average activity underway or completed

Topic	
Adopting a push model to maximise disclosure; Staffing resources; Application handling; Internal review; External review	
Governance; Publication scheme; Engagement with applicants	
Roles, responsibilities, delegations and authorisation; Disclosure log; Policy development and oversight; Record keeping	
Community consultation; Training and resources	
Administrative access; Complaint handling; Performance monitoring; Continuous Improvement	

0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%
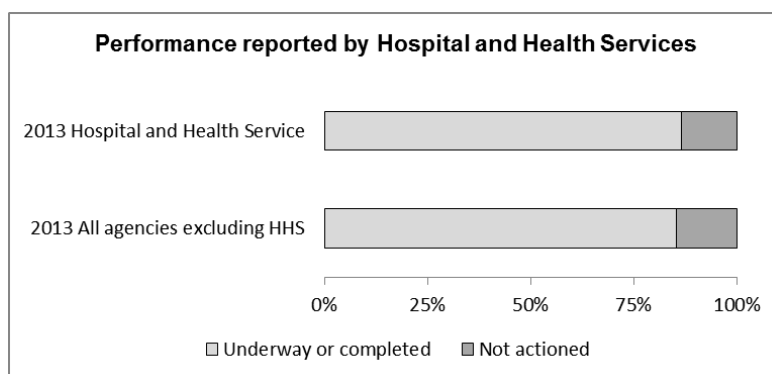
□ Underway or completed ▨ Not actioned

Chart 17*: Proportion of GOC responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') by topic.*

Hospital and Health Service Performance

Hospital and health services (HHS) were introduced in 2012 to cater for the 17 statutory bodies that were created under the *Hospital and Health Boards Act 2011* on 1 July 2012.

Overall Performance

The HHS sector reported good progress in implementing RTI and IP obligations with 87% of the obligations met in part or full. They performed very similarly to agencies overall. As Chart 18 shows though they still have significant room for further development.

Chart 18. *Proportion of responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') for HHS in 2010 and 2013 vs the remaining agencies.*

Performance by Topic

The HHS sector identified application handling, engagement with applicants, internal and external review and roles, responsibilities, authorisations as the areas with the greatest levels of full or partial implementation. The areas of administrative access, publication scheme, policy development, and staffing resources were identified as having the most room for improvement.

Hospital and health services reported high number of items in progress overall (15%) with highest levels relating to governance, staffing resources and performance monitoring (21 to 31%). These results are depicted in Chart 19 which shows the average reported implementation across the HHS sector for all 19 topics.
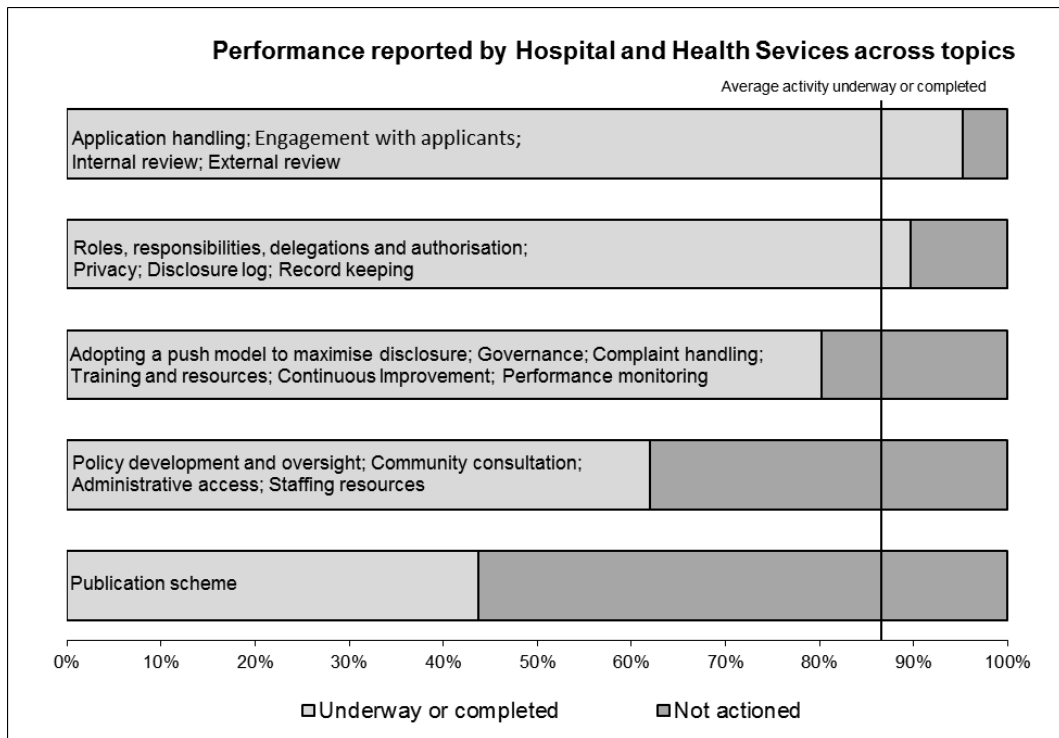
Chart 19: *Proportion of HHS responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') by topic.*

Other Agency Performance

The category of "Other agencies" includes all agencies the RTI and IP Acts apply to, which are not departments, local government, universities and TAFEs, Government owned corporations or hospital and health services. This is the largest group analysed with 65 completed responses. It should be noted that this is a very diverse group of agencies and includes many agencies that receive no or few formal applications under the RTI or IP Acts.[26]

Overall Performance

This mixed group of agencies reported good overall progress in implementing RTI and IP obligations since 2010 with an improvement of 13 percentage points in regards to activities underway or completed. These agencies performed very similarly to agencies in general overall. However, as Chart 20 shows, further work is required to meet all RTI and IP obligations.
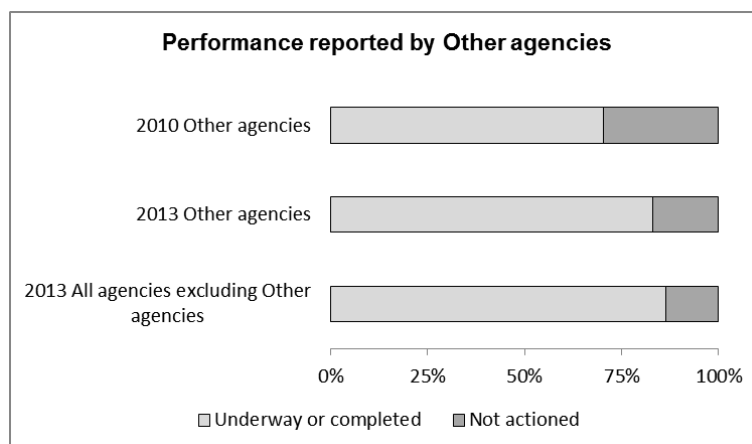

Chart 20. *Proportion of responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') for other agencies in 2010 and 2013 vs the remaining agencies.*

Performance by Topic

This category of agencies identified application handling, internal and external review and privacy as the areas with the greatest levels of full or partial implementation. The areas of administrative access, adopting a 'push model' to maximise disclosure, community consultation, performance monitoring, publication scheme and policy development were identified as having the most room for improvement.

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[26] 45% of these agencies reported getting no RTI or IP applications since 1 July 2010.

The "other agency" group had the highest reported level of improvement from 2010 in the areas of internal and external review and performance monitoring. Publication schemes, engagement with applicants and adopting a 'push model' to maximise disclosure had the lowest level of improvement from 2010. These results are depicted in Chart 21 which shows the average reported implementation across this sector for all 19 topics.
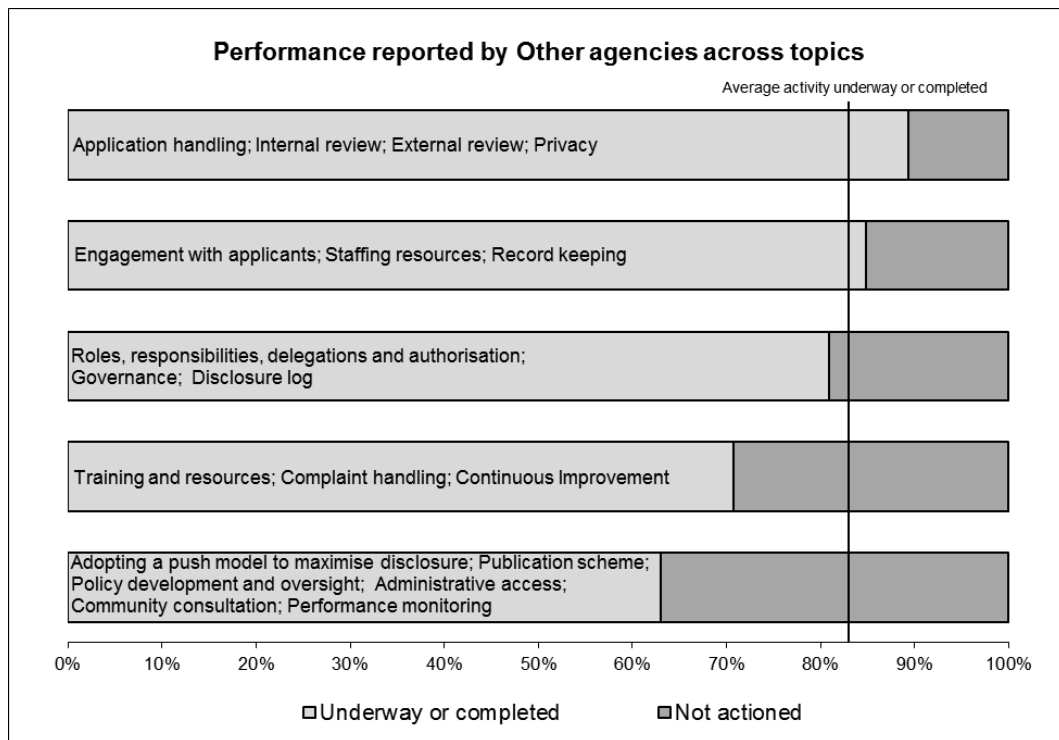

Chart 21: *Proportion of other agency responses of 'underway or completed' (ie 'yes' or 'in progress') and 'not actioned' (ie 'identified' and 'no') by topic.*