

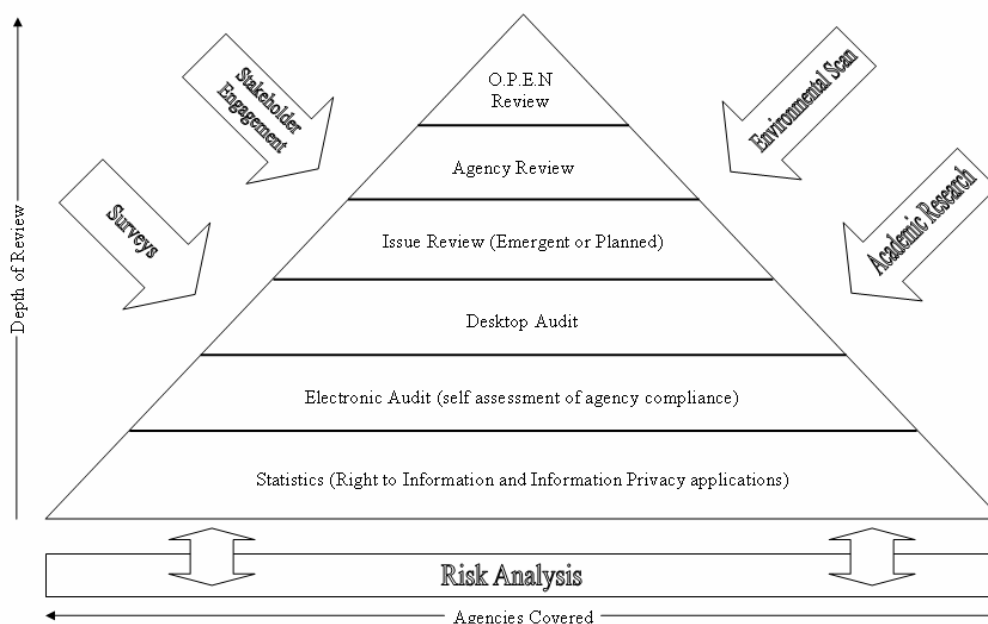
Appendix 1 – Methodology

Introduction to the electronic audit

The electronic audit is part of a suite of performance monitoring strategies, designed to cover all agencies and provide in depth monitoring for agencies or for issues that are assessed as higher need. The suite of strategies is described in the Performance Monitoring and Reporting Team Charter, which is published on the Office of the Information Commissioner's (OIC) website.¹ Diagram 1.1 below is reproduced from the Charter. The structure of the review program ensures that OIC meets the performance monitoring requirements of the legislation in a way that:

- Covers all the auditable agencies
- Ensures that performance monitoring is both strategic and operational, for example, strategically, addresses the intention of the legislation to introduce a 'push model', and operationally, checks for compliance with legislative obligations
- Allows the progress of the reform process to be monitored over time
- Applies a risk management approach to focus resources on the areas of greatest potential risk.

Diagram 1.1: PMR Team Structure of Review Pyramid ²



The surveys and electronic audit are shown in the base of this pyramid as an integral part of this review program. The surveys and the electronic audit are fundamental in ensuring the program

¹ Available at: <http://www.oic.qld.gov.au/files/Charter%20Policy%20and%20Procedures%20Manual.pdf>

² An O.P.E.N. review of Organisational Policies for Engagement and Negotiation is a review of an agency's processes for engaging with the community to identify and publish information that the community might find useful.

covers all agencies within a risk management context, and addresses strategic and operational issues over time.

The electronic audit has advantages as a method of monitoring general performance. It covers all auditable agencies. It can be administered simultaneously to all agencies, regardless of size, location in the state or sophistication 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. Agencies could use the electronic audit as a reference tool or as a training resource within the agency.

Source of Electronic Audit Questions

The elements in the audit were selected primarily by identifying requirements from the legislation or the guidelines issued under the RTI and IP Acts by the Minister or a lead agency. For example, if the legislation said 'an agency must do Activity A', the electronic audit included as an item 'the agency has done Activity A'. The majority of the elements of the audit (88 percent of the items) were selected from legislative requirements. A small percentage of items (12 percent) were included as a result of a literature review which identified best practice, or from the Solomon Report.³ In total, there were 185 questions in the electronic audit. The break up of the source of the questions is described in Table 1.1.

Table 1.1
Source of Questions in Electronic Audit

Source of Electronic Audit Question	Number of Questions
Legislatively driven.	76
Guidelines issued by the Minister or lead agency under the RTI Act.	73
Other guidelines about Right to Information from central monitoring agencies. ⁴	13
The Solomon report.	8
Literature review identifying best practice. ⁵	15
TOTAL	185

³ *The Right to Information: Reviewing Queensland's Freedom of Information Act, The report by the FOI Independent Review Panel June 2008* (the Solomon report).

⁴ Queensland Government Enterprise Architecture (QGEA) guidelines from the Queensland Government Chief Information Office and advice from the Queensland State Archives.

⁵ 13 questions came from 'FOI Standards and Measures', produced by the Office of the Information Commissioner, Western Australia, as a result of an FOI practitioners workshop. 2 questions came from 'Overview & Future Directions' taken from 'Freedom of Information and Privacy in Australia' (2005) by Moira Paterson, Chapter 12 at page 493.

OIC designed the questions following an analysis of the legislation and a literature review. An agency reference group was consulted to test the validity and workability of the items. The agency reference group provided substantial advice, and there was debate about some issues. After a final product was settled, OIC sought advice on the proposed audit instrument from the Office of Economic and Statistical Research (OESR). This resulted in further streamlining and modification, mainly to improve the usability of the audit for respondents and for the statistical analysis.

Comprehensive Nature of Electronic Audit

OIC designed the electronic audit with a view to capturing all the obligations in the legislation and guidelines. Some of the items asked agencies to report on the establishment of systems to comply with the legislation, some items sought information on agency activity in particular circumstances and some items sought to capture statistics about compliance.

On the advice of the agency reference group, OIC agreed to reduce the length of the electronic audit by removing the 67 questions which asked for statistical information, for example, the number of access applications received by each agency. OIC also modified the questions after discussions with OESR about the workability of the questions, removing or collapsing together a further 12 questions. The removal of these questions did not effect the assessment of the legislative obligations.

The electronic audit instrument was made available to agencies in two ways. First, the instrument in full (including the statistical questions) was provided to agencies and published on the OIC website. This made agencies aware of the full set of electronic audit questions so that they could prepare for future audits that would seek statistical information. Second, the instrument was administered to agencies, without the statistical questions.

The resulting electronic audit is the first survey of its kind in the arena of right to information and information privacy management. The survey builds a comprehensive picture of compliance and enables quantitative measurement of the progress of the reforms.

In future, as full compliance is reported, OIC will move away from self assessment of compliance to independent verification by inclusion of compliance audits in agency internal audit programs, and through desktop scans by OIC and random compliance audits conducted by OIC.

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 1.2.

Table 1.2
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

The electronic audit commenced when the Information Commissioner sent a letter to chief executives of agencies assessed as auditable, asking them to nominate an appropriate person or position within their organisation to complete the electronic audit.

OESR distributed the electronic audit to 212 agencies through their nominated contact. Agencies were emailed a copy of the electronic audit and were requested to provide the results of their electronic audit to OESR within a month of receiving the electronic audit. At this point in the process, 15 agencies stated that they did not believe that they were required to complete the audit, either because they were out of scope, or because they were covered by another agency. OIC decided to consider these issues separately.

OESR pursued and collated the responses for the remaining 197 agencies. Agencies were contacted up to three times (an invitation and two reminders) by email in relation to completing the electronic audit. OIC supported agencies, where requested, to assist them to complete their electronic audit.

OESR sent all the collated responses to OIC for analysis by December 2010, and OIC analysed the results.

Confidentiality

OIC has undertaken to treat data collected in this electronic audit as strictly confidential and to de-identify data before publication. In this round, OIC adopted this course of action to encourage frank responses and to ensure a reasonable rate of response. This undertaking as to confidentiality has had consequences for the treatment of comments.

Of the comments received (over 5,000 comments), a sample has been selected for inclusion in this report. This has avoided identification of individual agencies and directed the report's focus to recurring themes or comments that illustrate the diversity of views.

If conducted again, individual agency responses might be identified, particularly if a response or a series of responses revealed a significant result. OIC will use the individual agency results from this exercise to contribute to the risk assessment of agencies and the planning of future reviews and supporting activities.

Response Rate

The response rate was an important issue. The electronic audit contained 185 questions, listed in 30 pages. This reflected the number of legislative obligations contained in the reforms. The length of the audit was identified as a potential risk for the success of the process, as it might have discouraged agencies from responding. However, the response rate was strong.

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. Government regularly creates new agencies, restructures existing agencies and removes agencies. In early 2010, OIC identified 604 agencies that were potentially covered by the legislation. By assessing agency website information and consulting the agencies, and comparing responses as against the legislative definitions of agencies covered by the legislation, a working list of 212 auditable agencies was settled in 2010.

Through the process of the electronic audit, this agency listing has been further refined. Some agencies responded that they were not captured under the RTI or IP Acts. Other agencies described an arrangement where their compliance was managed by another department or agency. There were 15 agencies (all in the other agency type) that self-identified as being out of scope or covered by an arrangement with another department or agency. These agencies were not included in this analysis. A separate process will be undertaken to assess the status of these agencies for the next electronic audit.

In 2010, OESR gave the electronic audit tool to 212 agencies to complete and return. 155 completed electronic audits were returned, an overall response rate of 73 percent.

Five agencies responded but did not provide a completed survey. 36 agencies did not respond at all. Taking out the 15 agencies who said they were not captured by the RTI and IP Acts or were covered by an arrangement with another agency, the effective response rate was 79 percent. That is, 155 out of 197 agencies, from which responses could be expected, responded. The effective response rate was very close to the target response rate of 80 percent.

The response rate varied significantly by agency type. All departments responded. Universities / independent TAFEs and Government owned corporations exceeded the target response rate with response rates of 89 percent and 85 percent respectively. The overall response rate for the other agencies type was only 66 percent, but increased to 77 percent when potentially out of scope agencies were not included.

The response rate of 74 percent for local government was under the target response rate. The majority of the local governments that did not respond were relatively small organisations in remote or regional locations. Aboriginal councils had a very low response rate of 25 percent which may be linked to their small size, remote location and low technological uptake (only 25 percent of aboriginal councils were identified as having websites during the 2009-10 desktop audit completed on local government).

The response rate by agency type is shown in Chart 1.1.

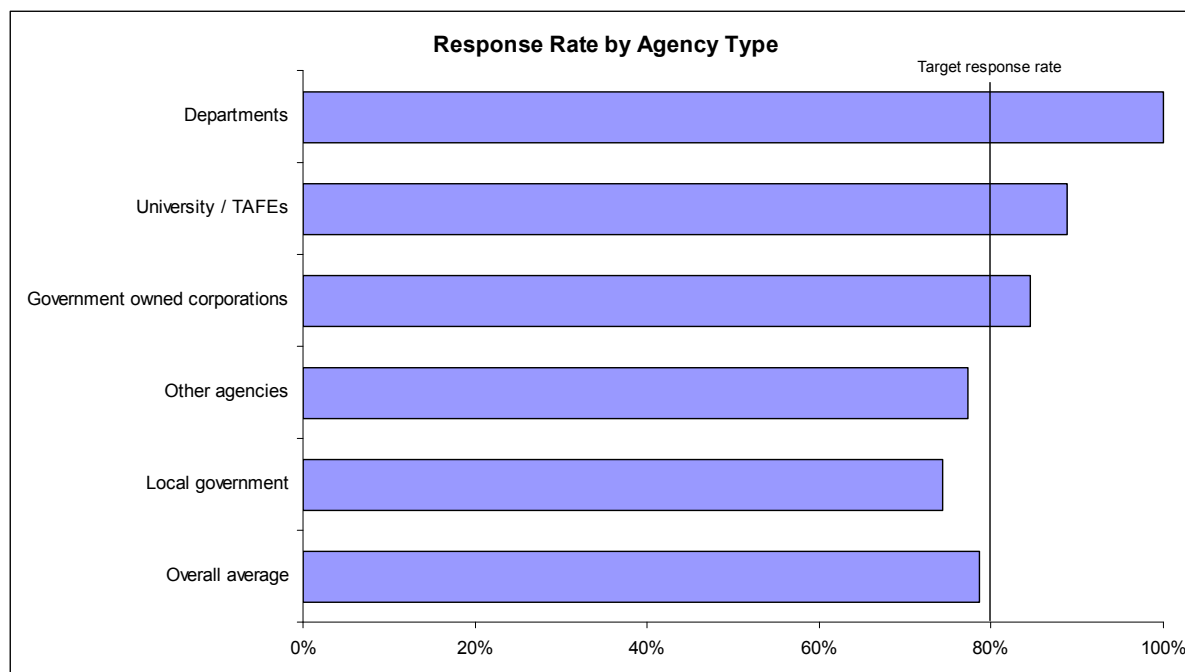


Chart 1.1: The proportion of agencies that completed the electronic audit per agency type.

The agencies that completed and returned the electronic audit provided responses to the majority of the items, with 9 in 10 agencies providing answers to over three quarters of the assessment areas (excluding department only questions). On average, each item had 92 percent of agencies providing a completed response.

Analysis

OIC performed 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, there were 19 questions about the way in which applications were handled. These were treated as a topic called 'application handling'. A list of questions per topic is included in Appendix 9.

For the majority of questions (170 out of 185 questions), agencies assessed and reported their performance based on a standardised scale (see Table 1.2). The responses to 12 additional questions were converted to this scale. This report's analysis covers the 182 questions based on this response scale.

This analysis has involved simple counts and percentages of responses in categories, and has also involved examining the extent of any correlation between responses to individual items. Some relationships between items were identified. Unusually high or low results were examined.

Looking at the agencies' responses to obligations within a topic, if more than 65 per cent of their responses were 'yes', then that topic was considered as having a 'significant level of reported full compliance' across all agencies.

Responses were also analysed as to which obligations were 'in progress', 'identified' or 'no'. There were two ways in which an obligation could be 'in progress', that is, partially implemented. First, an agency could respond that implementation had commenced, that is, active development. Second, an agency could report implementation, but only in part of the agency, that is, partial compliance. Both of these were considered to be partial implementation.

For each topic, if agencies reported that over 20 percent of requirements for an obligation were 'in progress', 'identified' or 'no' that obligation was classified as 'significant level of reported compliance or non-compliance' for the associated response.

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

OIC has not independently verified the agencies' self reported progress. Verification of the agencies' responses is occurring in conjunction with the completion of other OIC reviews.

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. Over 5,000 comments were received in total. Around 1,250 comments were that the question was not applicable. A number of others were comments repeated by an agency for multiple questions. The volume, variety and length of the comments varied for each question.

A summary of comments is provided in Appendix 3, on a question by question basis.

Where responses exhibited one or more common themes, these were identified and a summary provided against the question in Appendix 3 with the comment code 'C'. A sample of agency specific comments, for example, providing additional information, identifying an example of best practice, or illustrating the diversity of views, have been included with the comment code 'A'. Agency specific comments have been edited to de-identify the agency. For some very long comments an extract or summary of the comment has been provided.