



Office of the Information Commissioner
Queensland

Annual Report 2023-24

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2024



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Acknowledgement of Traditional Owners and Elders

The Office of the Information Commissioner acknowledges Aboriginal and Torres Strait Islander peoples as the First Australians and recognises their culture, history, diversity and their deep connection to the land, waters and seas of Queensland and the Torres Strait. We acknowledge the traditional custodians of the lands on which we operate and pay our respects to their Elders past and present.

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The State of Queensland (Office of the Information Commissioner) Annual Report 2023-24.

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12 September 2024

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

Dear Mr Speaker,

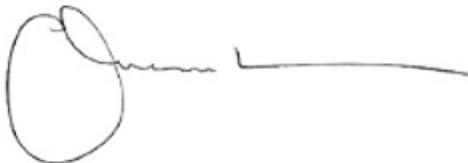
I am pleased to submit for presentation to the Parliament the Annual Report 2023-24 and financial statements for the Office of the Information Commissioner.

I certify that this Annual Report complies with:

- *the prescribed requirements of the Financial Accountability Act 2009 and the Financial and Performance Management Standard 2019*
- *the detailed requirements set out in the Annual report requirements for Queensland Government agencies.*

A checklist outlining the annual reporting requirements is provided at page 79 of this Annual Report.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a series of loops and a long horizontal stroke extending to the right.

Joanne Kummrow
Information Commissioner

ABOUT THIS REPORT

Our Annual Report provides an overview of OIC's performance towards achieving our vision of building trust through transparency.

We are required to report annually on specific aspects of our statutory functions and associated activities.

This Annual Report provides an:

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

This Annual Report is an important component of how we monitor and account for our performance, and contributes to our organisational planning and resource allocation in the coming financial year.

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ABOUT US

We are an independent statutory regulator established under the Right to Information Act 2009 and form part of Queensland's framework of integrity agencies.

The Office of the Information Commissioner (OIC) is a 'statutory body' under the *Financial Accountability Act 2009* and the *Statutory Bodies Financial Arrangements Act 1982*. These Acts ensure OIC is accountable for its performance through the public reporting including annual reports and the Service Delivery Statements.

The Information Commissioner is the accountable officer for the OIC and is supported in their leadership of the office by the Right to Information Commissioner and Privacy Commissioner and an Executive Leadership Team.

Our functions

Our statutory functions and powers under the *Right to Information Act 2009* (RTI Act) and the *Information Privacy Act 2009* (IP Act) provide for the promotion and protection of Queenslanders' right to access government-held information, the fair collection and handing of personal information by Queensland government agencies, and the right to amend personal information held by government.

These 'information rights' are human rights that are recognised internationally under the *Universal Declaration of Human Rights* and in Queensland under the *Human Rights Act 2019*.

Right to information and privacy rights build public trust in government and the public sector through transparency and accountability, and are a key component of a functioning democracy.

Our focus is on raising public awareness of access to information and privacy rights and how these rights can be used and enforced under the RTI and IP Acts.

Right to information and privacy obligations on Queensland government agencies support a more effective, efficient, ethical, transparent and accountable public sector.

We engage with Queensland government agencies and public sector leaders and employees to inform them about their obligations under the RTI and IP Acts, and their role as custodians of government-held information to ensure they:

- make as much government-held information as possible publicly available through proactive disclosure or administrative release
- use formal applications for access to information under the RTI Act or IP Act as a last resort
- only collect personal information they need, store that information securely, delete personal information when it is no longer required, and not use it for another purpose
- are transparent and accountable in the information they hold and make available to the public, and their collection, use, and handling of citizens' personal information
- provide for the amendment of personal information in government-held documents.

Under the RTI and IP Acts, the Information Commissioner, Right to Information Commissioner and Privacy Commissioner are statutory office holders appointed by the Governor-in-Council and Officers of the Queensland Parliament. They are not subject to direction in the exercise of their functions and powers.

The independent authority of the Commissioners means the community can be confident that they each carry out their roles in the public interest – independently, fairly and impartially.

Our OIC staff work across our key functions of:

- handling and mediating privacy complaints
- conducting external reviews of agency decisions made on RTI and IP access and amendment applications
- conducting audits and reviews of agency RTI and privacy practices to ensure they comply with obligations under the RTI Act and IP Act and tabling our reports in Parliament
- advising Parliament and government agencies on proposed new legislation and legislative changes
- providing guidance and training to agencies on RTI and privacy rights and best practice administration
- raising the public's awareness about their RTI and privacy rights
- undertaking stakeholder engagement with agencies to promote best practice under the RTI Act and IP Act
- ensuring our office, finances, IT systems, administration processes, governance, risk management and the health and wellbeing of our people are supported the best they can be.

Our stakeholders

Our stakeholders include the community and agencies such as Queensland Government departments, Ministers, local government, hospital and health services, statutory authorities, government-owned corporations, public universities and other public authorities.

We also collaborate with our peers from other jurisdictions both in Australia and internationally to share knowledge and maximise our expertise and resources.

Improving delivery of our statutory functions

We are committed to continuously improving the delivery of our statutory functions and employ a range of methods to help us identify areas for improvement and where we can use our resources to have maximum impact.

Evaluation

Evaluation helps us understand what worked or did not work, the results achieved and the wider applicability of those lessons. We use evaluation to share insights and knowledge.

Feedback

We seek actionable feedback to understand how people use and rate our services to determine where we can improve. We use the information from satisfaction surveys to strengthen service delivery and enhance our performance and user experience.

More information about OIC

Our published decisions, guidance and information sheets, online training offerings, internal policies and procedures, and other information about the OIC are published and available on our website, www.oic.qld.gov.au.

If you cannot find the information you are seeking, please contact us at administration@oic.qld.gov.au or (07) 3234 7373 or 1800 642 753.

OUR STRATEGY AND VALUES

We set strategies with key performance indicators to achieve the objectives for our service areas.

Strategic planning

Strategic planning helps us to identify our objectives, the strategies we will employ to achieve them and the performance indicators to measure our progress.

Our 2023-27 Strategic Plan provides direction and focus to our activities, and to our teams and individual staff as they proceed with specific projects and their day-to-day work.

Our 2023-27 Strategic Plan identifies five key objectives:

- Provide independent, timely and fair reviews of decisions made under the RTI Act and IP Act
- Assist agencies to adopt privacy by design and achieve compliance with the privacy principles
- Provide an independent, timely and fair privacy complaint mediation service
- Promote greater awareness of right to information and information privacy in the community and within government
- Improve agencies' practices in right to information and information privacy.

Each Executive Leadership Team member is responsible for specific strategies to guide activity, monitor progress against targets and report achievements against our organisational objectives. Where necessary, the team makes changes to meet our performance targets.

The Executive Leadership Team meets to discuss performance, budget, strategic risk and governance issues, people and culture and other general business.

Our 2024-28 Strategic Plan is available at: www.oic.qld.gov.au.

Values

Our work is informed by our organisational values. In all our activities, we strive to demonstrate these values.

Respectful

We listen carefully to build understanding, find solutions and enable fair and transparent participation. We are inclusive in our approach and value our staff and stakeholders.

Collaborative

We value diversity and work together as one team to achieve better outcomes. We network and share with our peers, colleagues and academia to maximise our expertise and resources.

Focused

We strive for excellence in service delivery and work to produce high quality and timely outcomes. We prioritise activities that have the greatest impact.

Innovative

We stay informed about our changing environment so we can effectively foster continuous improvement incorporating creative solutions for us and our stakeholders.

MESSAGE FROM THE INFORMATION COMMISSIONER

This is my first annual report as Queensland Information Commissioner. It is a privilege to serve the Queensland public as an independent statutory officer holder, and an Officer of the Parliament.

Having experience in overseeing information rights in another jurisdiction, I have long been aware of the high standard set by the Office of the Information Commissioner (OIC) under the leadership of my predecessor, former Information Commissioner Rachael Rangihaeata. Having served a maximum 10-year term between 2013 and 2023, Rachael championed public access to government-held information and the public sector's protection of personal information.

With the passage of legislative reforms to the *Information Privacy Act 2009* and *Right to Information Act 2009* in November 2023, Queensland will see the introduction of new Queensland Privacy Principles and a Mandatory Notification of Data Breach (MNDB) scheme from 1 July next year.

Another significant reform, which commenced in March this year, is the administrative release of Cabinet documents. This policy initiative under the Cabinet Handbook sets Queensland apart as the first Australian jurisdiction to do so and I applaud this significant step towards greater openness in government decision making.

These key reforms and other recommendations arose out of the independent review conducted by Professor Peter Coaldrake AO into the culture of the Queensland public sector and other reviews and reports presented to the Queensland Parliament. Collectively, the reforms are designed to strengthen transparency, accountability and integrity and, in turn, increase public trust in government and the public sector.

On behalf of my fellow Commissioners and OIC staff, we are pleased to report on our performance and achievements in 2023-24. The data in this annual report demonstrates it has been another busy year at the OIC

with a consistently high demand on our external review and privacy complaint mediation services, our audit and evaluation work, providing information and assistance and developing resources for the public and agencies. Internally, we also commenced significant projects arising from reforms to the IP and RTI Acts (the IPOLA reforms) that will transform the way we work.

While our results tell part of our story, they need to be viewed in the context of significant changes and challenges the OIC experienced over the past year or so. I thank Stephanie Winson, Right to Information Commissioner, who was Acting Information Commissioner for a significant part of the year. I also acknowledge the Executive Leadership Team for their strategic and operational oversight during 2023-24, and the entire OIC team for their resilience, commitment and collegiality – qualities that make the OIC a great place to work.

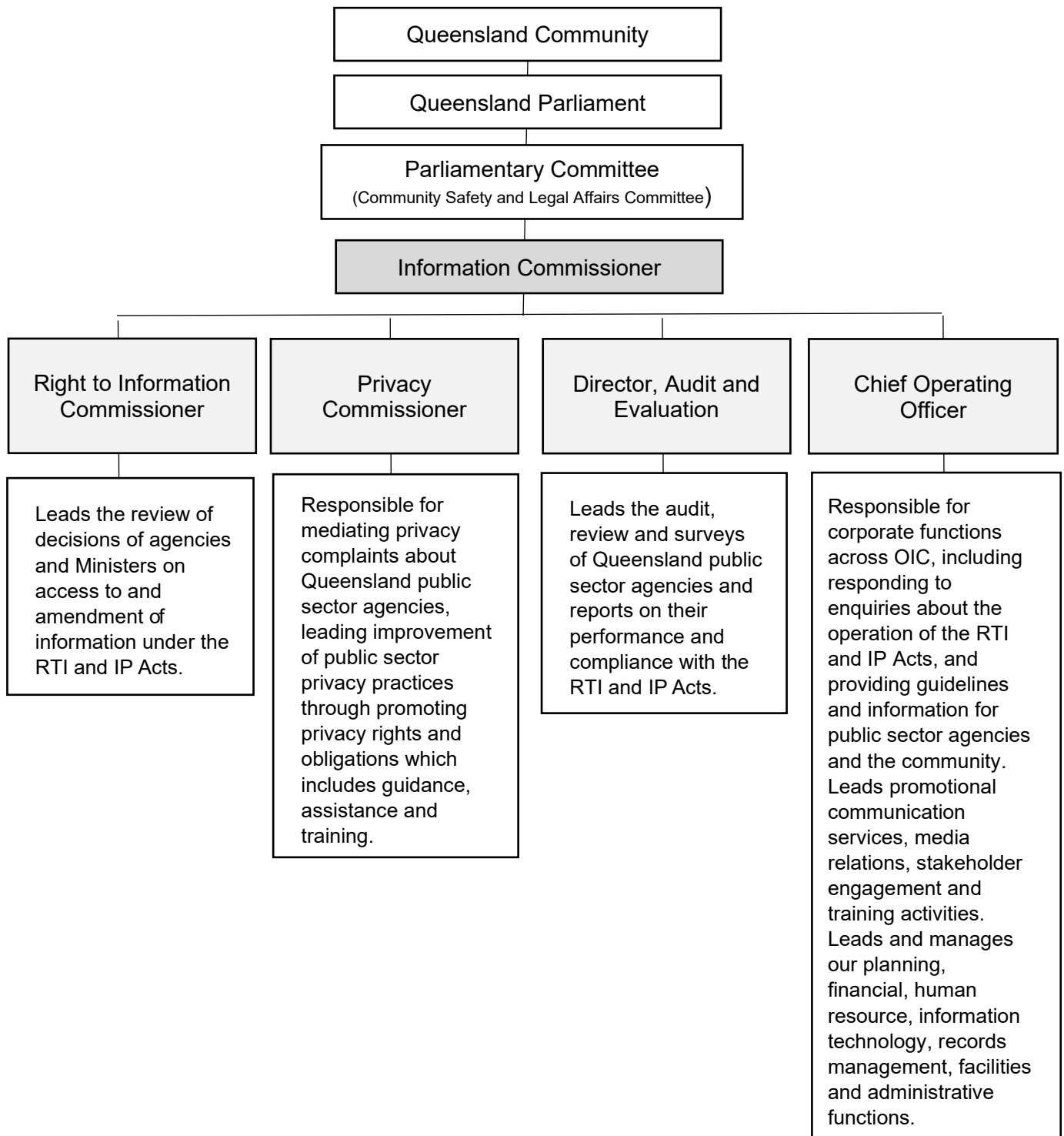
As we move into a new financial year, the OIC continues to explore how we can better promote and protect Queenslanders' information access and privacy rights as a modern and contemporary regulator, particularly with the IPOLA reforms. This includes examining how we can harness insights from our data to identify areas in which we can maximise our impact relative to our modest size and resources. We will also strive to strengthen our engagement with the Queensland community, and deliver more training and accessible guidance to government agencies across the State.

In a time of community awareness and expectations around government openness and its fair collection and responsible use of their personal information, we will continue to engage and advise the Parliament and government agencies in the development of new or amended legislation and advocate for the protection of individuals' privacy rights and maximum government transparency.

Joanne Kummrow
Information Commissioner

OUR STRUCTURE

Figure 1. Our structure



OUR EXECUTIVE LEADERSHIP TEAM

Our Executive Leadership Team comprises:

- Information Commissioner
- Privacy Commissioner
- Right to Information Commissioner
- Chief Operating Officer
- Director, Audit and Evaluation.

Information Commissioner

The Information Commissioner is the chief executive of the Office of the Information Commissioner (OIC). The Information Commissioner is a statutory appointee and an officer of the Parliament, and has statutory functions and powers under the IP and RTI Acts.

Joanne Kummrow

Joanne Kummrow was appointed as Information Commissioner on 3 April 2024 for a three-year term.

Joanne is an experienced public sector leader and statutory decision maker with a professional career working in the public, legal and integrity sectors.

From 2018 to 2024, Joanne served as Public Access Deputy Commissioner at the Office of the Victorian Information Commissioner with statutory responsibilities under the *Freedom of Information Act 1982 (Vic)* and regulatory oversight of agency compliance with the Freedom of Information (FOI) Professional Standards.

Joanne holds a Bachelor of Laws (Hons.) and Bachelor of Arts and is an accredited specialist in Administrative Law.

Rachael Rangihaeata

Rachael concluded her maximum 10-year term as Information Commissioner on 19 September 2023.

Rachael championed proactive disclosure of, and appropriate privacy safeguards for, information held by Queensland government agencies.

Privacy Commissioner

As a deputy to the Information Commissioner and officer of the Parliament, the Privacy Commissioner performs statutory functions under the IP Acts. The Privacy Commissioner leads the OIC's privacy complaint and conciliation services, engages with government agencies to promote the fair collection and responsible use by government of personal information and raises awareness of the community's privacy rights.

Paxton Booth

Appointed as the Privacy Commissioner in December 2021 for a two-year term, Paxton was reappointed for a five-year term in December 2023.

Paxton has significant experience working in law enforcement and integrity agencies. Prior to his appointment as Privacy Commissioner, he was Executive Director, Corruption Strategy, Prevention and Legal at the Crime and Corruption Commission, Qld (CCC).

Paxton holds a Bachelor of Laws and Bachelor of Commerce and was admitted as a Barrister of the Supreme Court of Queensland in 1997.

In June 2024, Paxton resigned from his role to take up the role of Deputy Integrity Commissioner in the Office of the Integrity Commissioner commencing in July 2024.

Right to Information Commissioner

As a deputy to the Information Commissioner and officer of the Parliament, the Right to Information Commissioner performs statutory functions under the RTI and IP Acts. The Right to Information Commissioner leads the external review services of the office and champions information access to government agencies and the community.

Stephanie Winson

Appointed on 16 January 2023 for a three-year term, Stephanie Winson is an experienced executive public sector leader and lawyer. Stephanie was appointed as

Acting Information Commissioner from 14 September 2023 to 28 March 2024, to cover annual leave commitments and the interim period until the incoming Information Commissioner was appointed.

Stephanie advised on information access matters in New Zealand where she served as the Assistant Ombudsman Systemic and Monitoring, independently investigating agency compliance with information access laws.

Stephanie held the constitutional role of Secretary of the National Assembly of Namibia and was the Deputy Director regulatory systems design for a New Zealand Crown Entity. Stephanie also led various teams performing legal and regulatory policy functions.

Stephanie holds a Master of laws (LLM) with distinction, Bachelor of Laws (LLB) and a Bachelor of Arts (BA) and was admitted to practice as a lawyer in Namibia and New Zealand in 1991 and 2002 respectively.

Chief Operating Officer

The Chief Operating Officer leads teams responsible for whole of enterprise functions including information and assistance, communication, engagement, training, finance, human resources, ICT, and facilities.

Zoe Mochrie

Since arriving in Queensland, Zoe's passion for knotty problem solving has seen her major in policy and regulatory activities in diverse domains, from Queensland Health to natural resources to building and construction. Zoe's appointment as Chief Operating Officer in the Office of the Information Commissioner reflects her firm commitment to openness and transparency in the public sector.

Zoe holds a Master of Arts with honours, a Master's in Public Administration, and is a Graduate of the Australian Institute of Company Directors.

Director, Audit and Evaluation

The Director Audit and Evaluation leads the team responsible for auditing and reviewing agencies' compliance with the RTI Act and IP Act and examining their practices on topical information access and privacy issues. Reports on findings and recommendations made are tabled in the Parliament.

Sandra Heidrich

Sandra Heidrich has more than 25 years' experience in performance auditing, accounting and business analysis in the public and private sector. Since joining OIC in 2016, she has implemented a more strategic and risk-based approach to assurance engagements. She had lead a range of topical and compliance audits about Queensland government agencies' practices in right to information and information privacy.

Sandra holds a Master of Economics and a Master of Accountancy.

OUR PRIORITIES

Strategic engagement

Our strategic engagement aims to build trust through transparency. As a contemporary regulator, we promote and support agency leadership, innovation and capability in privacy by design and adoption of the 'push' model as the main mechanism for providing the public with access to government-held information.

In 2023-24, we continued to focus our strategic engagement with key agencies and sectors, including local government, and agencies that deal with significant volumes of information access requests.

We maintained the Privacy Champions Network and hosted various Practitioner forums.

During 2023-24, we conducted several in-person activities to raise awareness of our role and services within the Queensland public sector. We also delivered virtual engagement activities to ensure our reach to many agencies across the state and to provide flexibility for our stakeholders to join us online. Our stakeholders continued to receive advice and support through our Enquiries Service.

International Access to Information Day 2023 promotional activities were delivered in a digital format with the theme, Digital inclusion: Connecting people to information. The event highlighted that digital inclusion is about ensuring that all Australians can access and use digital technologies effectively.

Ms Talei Elu delivered the 2023 Solomon Lecture on "The story of Seisia – How access to information in remote indigenous communities can help to solve complex problems. Ms Elu's address demonstrated how a Torres Strait Islander community from the northern most point of Cape York harnessed the information and contacts

they had to lobby for better telecommunications infrastructure and reap the benefits of improved digital access.

Following the lecture, Ms Elu was joined by Mr Chatur Zala (CEO, Cherbourg Aboriginal Shire Council), Mr Chris McLaren (Chief Customer and Digital Officer, Queensland Government) and Professor Michael Dezuanni (QUT) to explore this important issue.

Privacy Awareness Week (PAW) 2024 centred on the theme, Privacy and technology: improving transparency, accountability and security, a message aimed at fostering community and public sector understanding of the relationship between technology and privacy.

We marked the launch of PAW with a keynote address by Australian Privacy Commissioner Carly Kind who explored the evolving Australian privacy environment. Following her presentation, Ms Kind was joined by Mr Chris McLaren, Chief Customer and Digital Officer, Queensland Government, Queensland Human Rights Commissioner Mr Scott McDougall, and Queensland Privacy Commissioner Mr Paxton Booth, for a panel discussion on the PAW themes, which was moderated by journalist, Ms Kim Skubris.

We streamed the Solomon Lecture and PAW launch events so audiences in regional and rural Queensland, as well as those further afield could participate.

Our engagement activities featured a strong digital presence including social media advertising, webinars and communication materials. These initiatives met our goal to connect with the Queensland community, agencies and key stakeholders, and maximise resources and activities with our peer jurisdictions across Australia and our international networks.

Advocating for a stronger privacy framework

A contemporary legislative privacy framework is critical for government agencies to respond to changing community expectations and emerging risks in the collection, use and storage of personal information. Developments in artificial intelligence (AI), data analytics and emerging technologies require stronger privacy and data security measures and regulation to ensure the balance between embracing new technologies with the fundamental human right to privacy.

The IP Act aims to protect and safeguard the personal information that the Queensland government holds. This should be reinforced to prevent and respond to increasing numbers and severity of data breaches.

It is important that Queensland's privacy legislation remains fit for purpose in an ever more interconnected digital world. A strong legislative privacy framework helps Queensland to manage the challenges of digital service delivery while meeting public expectations about privacy.

Queensland government departments and public sector agencies should ensure their technology systems are sufficiently robust and regular training is provided to all staff on processes and procedures necessary to protect privacy and minimise the risk of data breaches.

Building a strong agency culture from the executive level down about the importance and value of personal information held by government will assist agencies in the prevention, detection and management of data breaches, in anticipation of a new mandatory notification of data breaches scheme.

Implementing New Legislation

This year saw a significant event for privacy laws in Queensland with the passage of the *Information Privacy and Other Legislation Amendment Act 2023* (IPOLA Act). This Act makes several significant changes to Queensland's privacy laws including:

- the introduction of a mandatory notification of data breach (MNBD) scheme
- a new set of privacy principles, known as the Queensland Privacy Principles (QPPs)
- creation of a single right of access and amendment in the RTI Act, including for documents containing personal information
- increased governance requirements for agencies, including a requirement to have a privacy policy and a data breach policy
- a response period for agencies managing privacy complaints and reforms to the processing period for access and amendment applications
- enhanced regulatory powers and functions for the Information Commissioner, including powers to investigate compliance with privacy principles and the MNBD scheme.

It is anticipated that most of these reforms will commence on 1 July 2025, with the exception of the MNBD for local governments which will commence on 1 July 2026.

During the final months of 2023-24, OIC commenced a project to support agencies prepare for these reforms to the RTI Act and IP Act, including:

- delivering awareness sessions about the new legislation
- conducting a stakeholder survey to obtain a baseline of agencies knowledge of the new reforms and their training and guidance requirements
- publishing guidelines for agencies on the reforms to support agencies prepare for these reforms.

Further consultation with agencies will continue throughout 2024-25, alongside the provision of further guidelines and associated resources, and in person and online training.

Our focus for the year ahead

In 2024-25, we will focus on:

- Assessing the gradual growth of external reviews we have on hand and whether our current staff resources are sufficient in the context of the increasing demand on our external review services and performance expectations.
- Examining how we can maximise our impact on the promotion and protection of privacy and information access rights in carrying out our statutory functions under the IP Act and RTI Act.
- Implementing the IPOLA reforms, including the new MNDB scheme, which will have impacts across our statutory functions in privacy, external review, education and engagement, monitoring and regulatory functions and information and assistance.
- Continuing our proactive work supporting agencies and the community and promoting agency best practice in access to information and privacy. This is vitally important as it can reduce the demand for formal access applications, and privacy complaints, and subsequent RTI reviews or privacy mediations by our office. Achieving the best balance and strategically focusing our resources has never been more important.
- Promoting a proactive and positive culture of information access and privacy rights within public sector agencies that values training and promotes appropriate strategies and the early resolution of matters to reduce the number of privacy complaints and external reviews made to OIC and that proceed to Queensland Civil and Administrative Tribunal (QCAT) for determination.
- Building our regulatory capability to reflect our statutory role as an independent regulator including new own motion investigation powers which commence from 1 July 2025.
- Reviewing the accessibility and functionality of our website for the public and agency officers to ensure our guidance and online resource meet the needs of our stakeholders.
- Reviewing our service arrangements to ensure they meet evolving needs of agencies and the community, and promoting continuous improvement in our business processes.
- Examining our stakeholder engagement activities with agencies and the public to ensure we are reaching a broad audience throughout all of Queensland, in particular, in rural and regional areas.
- Surveying our agency stakeholders to better understand their RTI and privacy education and training needs.
- Reporting to Parliament on the findings of our audits and reviews of agency privacy and RTI practices, including recommendations for specific agencies and to inform the practices of all Queensland government agencies.
- Meeting our work, health and safety responsibilities to our staff in managing and responding to unreasonable and inappropriate behaviours in carrying out our statutory functions.
- Supporting our people to adapt to changing business requirements and the effective use of new technology to streamline our processes and maximise our impact and operations.

OUR PERFORMANCE

We measure the efficiency and effectiveness of our statutory functions and services against key performance targets and indicators. The targets enable the Queensland community and the Parliament to monitor and assess our performance.

We endeavour to meet these targets with available resources.

Figure 2. Our performance

Service standard	2023-24 target	Achievement	Result
External review			
Provide independent, timely and fair reviews of decisions made under the <i>Right to Information Act 2009</i> and <i>Information Privacy Act 2009</i>			
Applicant overall satisfaction with the service provided in assessment and conduct of external review of agency and Minister decisions about access to and amendment of government-held information under the RTI and IP Acts	70%	75%*	✓
Percentage of agencies satisfied with the review service	75%	93%	✓
Mean average days to finalise an external review	150 days	147 days	✓
Percentage of open review applications over 12 months old at the end of reporting period	0%	4.7%**	X
Percentage of finalised external review applications resolved informally without a decision	75%	90%	✓
Percentage of external review applications finalised to received	100%	95%	X
Privacy advice and complaint mediation			
Provide an independent, timely and fair privacy complaint mediation service			
Agency overall satisfaction with the privacy complaint mediation service provided	75%	95%	✓
Mean average days to finalise an accepted privacy complaint	140 days	144 days	X
Assist agencies to adopt privacy by design and achieve compliance with the privacy principles			
Percentage of agency stakeholders satisfied with advice service we provide	75%	100%	✓
Number of consultations and submissions	n/a	87	--
Number of advices to, and meetings with, agencies	n/a	98	--

* Comprising 40 returned surveys from 664 review applications that were finalised during the year.

** 15 external review applications out of 321 matters on hand as at 30 June 2024.

Service standard	2023-24 target	Achievement	Result
Assistance and monitoring			
Improve agencies' practices in right to information and information privacy Promote greater awareness of right to information and information privacy in the community and within government			
Agency overall satisfaction with the information resources provided by OIC	80%	96%	✓
Agency overall satisfaction with the OIC Enquiries Service	80%	97%	✓
Number of training participants	4,000	4,080	✓
Percentage of training participants satisfied with sessions	75%	99%	✓
Number of reports tabled in Parliament	5	4	X
Number of awareness activities conducted including online interactions	250	362	✓
Number of responses to written and oral enquiries	4,500	5,895	✓
Cost of providing advice and guidance per Enquiry Service response	<\$55	\$49	✓
Number of website visits	150,000	286,098	✓

EXTERNAL REVIEW

Provide independent, timely and fair reviews of decisions made under the RTI Act and IP Act.

Our strategies

- Resolve external review applications using flexible approaches and clear, tailored communication
- Determine external review applications through formal written decisions where required
- Maintain effective case and knowledge management systems to support quality resolution and decision-making services
- Identify and implement strategies to ensure equitable and timely access to review services for all applicants, especially when experiencing high demand and challenging conduct by review participants.

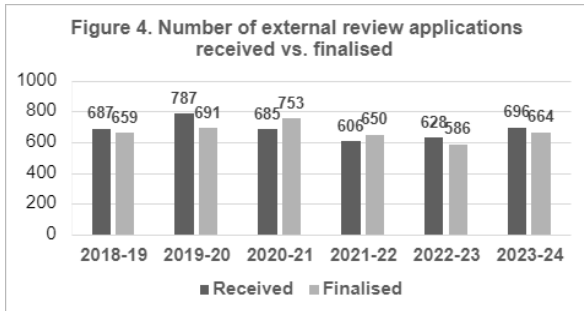
Figure 3. External review service standards

Service standard	Target	Achievement				
		2019-20	2020-21	2021-22	2022-23	2023-24
Percentage of external review applications finalised to received	100%	88%	110%	107%	94%	95%
Applicant overall satisfaction with the service provided in assessment and conduct of external review of agency and Minister decisions about access to and amendment of government-held information under the RTI and IP Acts	70%	67%	51%	44%	58%	75%
Percentage of agencies satisfied with the review service	75%	95%	96%	98%	86%	93%
Mean average days to finalise an external review*	150 days	n/a	155 days	139 days	152 days	147 days
Percentage of open reviews over 12 months old at end of reporting period	0%	0.3%	6%	0.8%	3.5%	4.7%**
Percentage of finalised external reviews resolved informally	75%	87%	90%	89%	90%	90%

* This service standard changed in the 2020-21 financial year. The previous service standard was 'Median days to finalise a review – 90 days'.

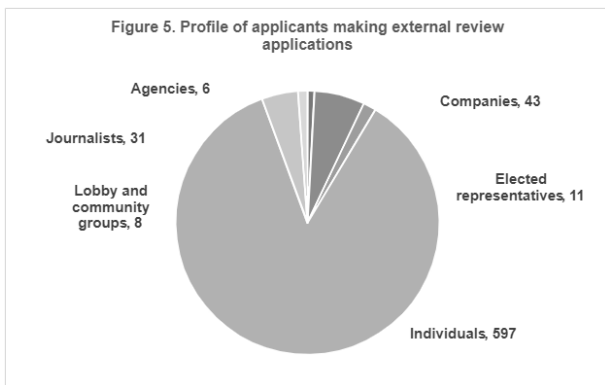
** 15 external reviews out of 321 matters on hand, as at 30 June 2024.

In 2023-24, OIC continued to experience an increase in demand for external review services, receiving 696 applications for the review of decisions made by agencies or Ministers. This is the second highest number of applications received to date and reflects the consistently high demand for external review services over the last six years.



To continually meet the expectations of Queenslanders, OIC utilises innovative demand management techniques to deal with high demand, specifically focussed on achieving effective and early resolution, with 90 percent of external reviews being resolved informally.

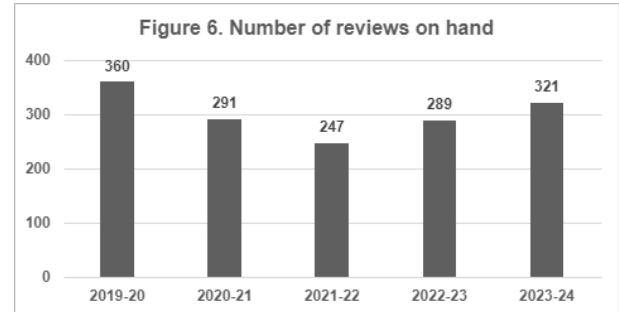
Applications made by individuals seeking access to information in connection to their personal engagement with government agencies remains the highest number of applications for external review received.



Consistent with previous years, our finalisation rate to received remained very high, at 95 percent. This is a significant measure of our effectiveness and efficiency within a context of severely constrained resources.

As in previous years, the increased demand coupled with available resources resulted in 321 external reviews remaining on hand at the end of the year.

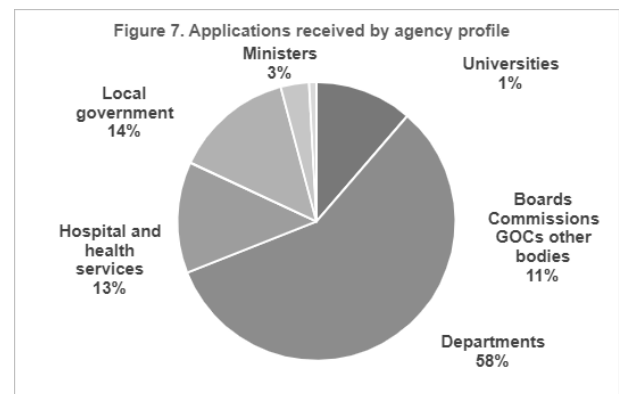
The gradual growth of reviews on hand is concerning as it suggests a mismatch between our current staff resources and the increasing demand on our external review services, which may lead to an increased backlog.



* The on hand figure for the 2021-22 year was incorrect at the time of publishing. The on hand figure was 247 and not 246.

At the end of 2023-24, 15 files over 365 days old remained open, representing 4.7 percent of open files. This number does not meet performance expectations, but reflects the increasing demand on our modest resources and the fact that an increasing number of applications took longer due to factors such as complexity and participant delays.

The profile of agencies subject to external review applications in 2023-24 reveals that departments constitute the significant majority, comprising 58 percent of all applications received.



The Queensland Police Service continues to represent the largest (26 percent) number of external review applications received by OIC for any single agency.

As noted in previous annual reports¹, this agency experiences high demand for its RTI services.

Some external review applicants demonstrate challenging and querulant behaviour during a review process which can impact OIC's ability to provide services in a fair, equitable, timely and efficient manner for all. OIC is also conscious of the impact this behaviour has on staff and during 2023-24 we have continued to evolve our practice to mitigate these risks including trialling an embedded wellbeing program, changing the way in which files are allocated and taking a firmer approach to managing unreasonable behaviour. In late June 2024, OIC also updated its Service Charter to outline the expectations it has of persons who deal with OIC staff, including those on external review.

Despite these challenges, team cohesion and collaboration remain high in providing external review services. This aligns with the high levels of engagement reflected in our 2023 results from the annual Working for Queensland survey.

Our staff maintained their focus on core responsibilities and our goal of doing the best we can for Queenslanders with our current resources. This has been borne out by the increased applicant satisfaction rates and our continued high rate of informal resolution. Agencies reported 93 percent satisfaction with the external review service, exceeding the target of 75 percent.

We continue to see evidence of resource constraints on agency RTI teams, which affect their ability to meet statutory timeframes or impact the way in which they manage requests.

Applicant satisfaction has risen this year to 75 percent, exceeding the target. While this is a positive result, we continue to see low survey return rates from applicants generally and maintain efforts to change this trend.

Figure 8. Outcomes of reviews

Outcome of review	2019-20	2020-21	2021-22	2022-23	2023-24
Affirming agency decision	49	35	35	36	36
Varying agency decision	35	29	30	16	23
Setting aside agency decision	8	9	8	5	9
Decision under section 110 of RTI Act or section 123 of IP Act	92	73	73	57	68
Review settled informally	541*	613	491	476**	558
Decision application is out of jurisdiction - section 52, section 101 IP Act; section 32, section 88 of the RTI Act	3	15	11	4	6
Decision not to deal with application - section 107 of IP Act, section 94 of the RTI Act	4	14	37	9	10
Decision to allow agency further time to deal with application - section 106 of IP Act, section 93 of RTI Act	51	38	38	40	22
Determination of review not required	58	67	86	53	38
Total	691*	753	650	586**	664

* On 30 June 2020, there were 542 reviews settled informally, with a total of 692. Since 30 June 2020, 1 file was reopened, reducing the category to 541 files, and the total to 691.

** On 30 June 2023, there were 479 reviews settled informally, with a total of 589. Since 30 June 2023, 3 files were reopened, reducing the category to 476 files, and the total to 586

¹ OIC Annual Report 2021-22 p14 and Queensland Government Annual Report on Right to Information Act and Information Privacy Act 2021-22 p8

Written decisions

The Information Commissioner must publish written decisions. All decisions are available on our website at: <https://www.oic.qld.gov.au>.

OIC decisions contain findings of fact and law, all the facts relied upon, details of the law applied, details of submissions from the parties and reasons for the decision. In accordance with good privacy practice, the names of individual applicants are generally anonymised where the subject matter of the application is connected to their personal circumstances.

We made 68 formal written decisions this year. Commonly arising themes in formal decisions remain sufficiency of search concerns by applicants and grounds for refusal of access in accordance with the RTI Act.

The outcome of OIC decisions during the year reveal that the majority of external reviews have resulted in affirming the agency decision (52 percent) while varying the decision constituted the second highest number (33 percent).

Appeals

An external review participant has a right to appeal to Queensland Civil and Administrative Tribunal (QCAT) against a decision of the Information Commissioner on a question of law.

QCAT has continued to find that the external review participants, and not the Information Commissioner, are the proper parties to appeals of external review decisions². Generally, OIC is removed as a participant by way of consent or procedural directions, however, where our removal is contested, it is necessary for us to file a formal application.

Seven appeals were lodged in 2023-24 and eight were finalised.

Judicial review of decisions

The Queensland Supreme Court under the *Judicial Review Act 1991* may judicially review written decisions of the Information Commissioner. No applications for judicial review about matters relating to external review applications were made in 2023-24.

Applications for financial hardship status

The Information Commissioner received six applications for financial hardship status under section 67 of the RTI Act. We granted five applications and one was withdrawn.

The financial hardship status has effect for one year from the date of the decision. It means government agencies must waive processing or access charges unless there are substantial improvements in the organisation's financial circumstances. The application fee on an access application remains payable.

Decisions granting financial hardship status are published on the OIC website (outcome only). Copies of reasons for decision are provided directly to the applicant.

Applications and decisions to declare a person vexatious

OIC received one application to declare an applicant vexatious under the RTI Act or IP Act during the year. The matter was referred back to the agency for further information and was not finalised by 30 June 2024. As a result, no decisions about whether to declare an applicant vexatious under the RTI Act or IP Act were made in 2023-24.

Improving our service

The external review team has a strong culture of continuous improvement and is committed to sustaining relationships of mutual trust among team members.

² *Stiles v Information Commissioner* [2021] QCATA 152, which adopted the reasoning in *Walker Group Holdings Pty Ltd v Queensland Information Commissioner (No 2)* [2021] QCATA 84

We find ways to improve our service for the community and adapt to evolving external circumstances quickly.

In the last year, the external review group has refined its agile working method to ensure that it can continuously adapt to the demands of the work, the needs of the external review participants and the changing nature of the types of information that may emerge due to technological and other advancement.

Following a trial in 2021-22, the group continues to place a higher percentage of existing full-time equivalent (FTE) resources into the team involved in intake activities to allow for quicker early assessment and resolution of applications.

In 2023-24, the group made further adjustments to its operating model. These have assisted the OIC to maintain consistently high levels of informal resolution of external review applications.

PRIVACY COMPLAINTS AND COMPLIANCE

Assist agencies to adopt privacy by design and achieve compliance with the privacy principles.

Our strategies

- Promote privacy by design and privacy impact assessments, including training, guidance and tools
- Provide independent expert advice and assistance to agencies
- Promote the benefits of engaging privacy services early
- Continue to develop the leadership network of agency Privacy Champions at a senior level across sectors, consistent with good practice recommendations and models
- Champion a contemporary privacy regime which supports transparent and effective privacy rights
- Provide independent expert advice on proposed legislative reform, policy and initiatives to inform the community, Parliament and government about impacts and privacy by design practice.

Provide an independent, timely and fair privacy complaint mediation service.

Our strategies

- Promote within agencies a culture that recognises the benefit of early resolution of privacy complaints through mediation before formal QCAT proceedings
- Engage with complainants to explain the process, OIC’s role and manage expectations.

Figure 9. Privacy advice and complaint mediation service standards

Service standard	Target	Achievement				
		2019-20	2020-21	2021-22	2022-23	2023-24
Percentage of agencies satisfied with the privacy complaint mediation service provided	75%	100%	94%	100%	94%	95%

Figure 10. Other privacy advice and complaint mediation key performance indicators

Service standard	Target	Achievement				
		2019-20	2020-21	2021-22	2022-23	2023-24
Mean average days to finalise an accepted privacy complaint [†]	140 days	185 days	278 days	257 days	135 days	144 days
Number of consultations and submissions	n/a	25	11	16	23	87
Number of advices and meetings with agencies	n/a	412	383	359	184	98
Percentage of agency stakeholders satisfied with advice service we provide [^]	75%	n/a	100%	91%	100%	100%

[†] This measure was discontinued in 2022-23 as a Service Delivery Standard measure

[^] This service standard was introduced in the 2020-21 financial year.

The IP Act provides for the fair collection and handling of personal information in the public sector. It sets rules for how Queensland public sector agencies must collect, handle, manage and store personal information.

To assist and ensure agencies comply with these rules (the privacy principles), we have powers under the IP Act to:

- provide expert privacy advice and assistance
- consider applications to waive or modify the obligations to comply with the rules where there is a counterbalancing public interest
- issue compliance notices.

Agency advice and assistance

One of the key services we provide is timely and authoritative advice about agencies' obligations under the IP Act. We provide agencies, on request, with both written and verbal advice as required. We regularly participate in working groups and specialist committees with public sector agencies. Sometimes we advise other sectors, for example, where they provide services to government agencies and need to comply with the privacy principles.

In 2023-24, we met with and or provided advice to government agencies 59 times. A range of agencies requested our guidance on initiatives that collect, use, share or disclose personal information, such as how to notify and respond to people affected by a privacy or data breach, contents of collection notices, risks associated with the collection and the secondary use of personal information. We noted an increase in discussions and questions about the use of generative AI during this reporting period.

We collaborated with the Queensland Government Digital and Cyber Group in relation to a guideline it produced regarding the use of generative AI for Queensland government agencies. We participated in 36 meetings on various privacy related matters including the use of personal information in an emergency. We also conducted a variety of information sessions to various

stakeholders. We have a target of 75 percent agency satisfaction with the privacy advice provided to agencies introduced this reporting period and have achieved 100 percent. We surveyed advice recipients twice during the year, in the second and fourth quarters of 2023-24.

We assess Bills for potential impact on privacy rights. If appropriate, we make submissions to Parliamentary Committees – in both Queensland and across Australia on these issues, and appear before committees when requested. For further information on OIC's submission activity, see page 27.

Points of interest International Forums

We continued to monitor international, national and local issues and trends in privacy and data security and information management. The OIC participated in the 60th and 61st meetings of the Asia Pacific Privacy Authorities. These forums provide insights into data protection and privacy regulators and agencies across the Asia Pacific region and globally. The meetings explored various challenges to privacy regulation and shared insights on the challenges and risks associated with the use of generative AI, ongoing data mining of publicly available information (largely on social media platforms) and the impacts this has on the community's privacy. The OIC also noted the privacy risks that were associated with generative AI being embedded in software which can create risks of data leakage (disclosure of information without the user's knowledge) which could lead to inadvertent breaches of the IP Act.

National Forums

OIC also hosted the June 2024 meeting of Privacy Authorities Australia (PAA) in Brisbane.

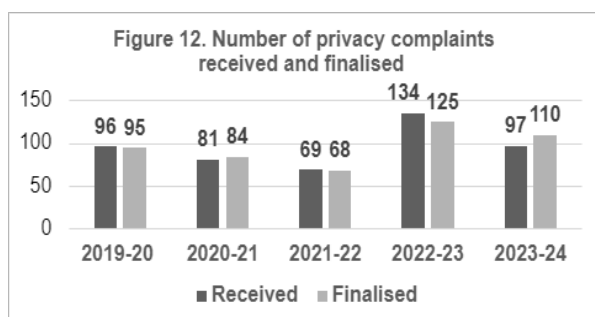
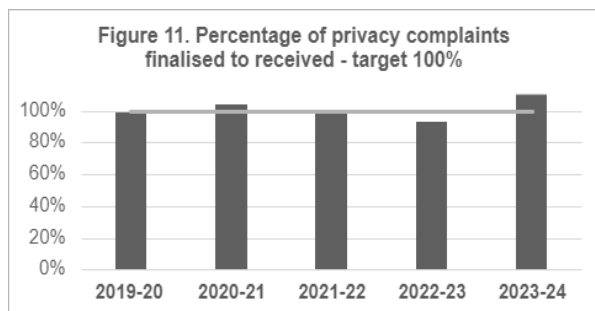
Established in 2018, PAA comprises Australian privacy regulators and meets regularly to promote best practice and consistency of privacy laws and policies. The June 2024 meeting featured Mr Steve Wood, Director and Founder of PrivacyX Consulting, who discussed his firm's report 'Data Protection Authorities Strategies – A global review of current practice'.

Mr Wood discussed the challenges and opportunities faced by data protection authorities, the impacts of AI and the importance of international regulatory cooperation.

Privacy complaint resolution

An individual who believes an agency has not complied with the privacy principles when dealing with their personal information may complain to the agency. If, after 45 business days, they do not receive a response or are not satisfied with the agency’s response, they may bring their complaint to us. We conduct preliminary enquiries to determine if we can deal with the complaint under the IP Act. If so, our role is to mediate the complaint. If mediation does not resolve the complaint, the individual may request we refer it to QCAT.

In 2023-24, we finalised 110 privacy complaints (125 were finalised in the previous financial year). Ninety-seven privacy complaints were received – while lower than the previous financial year (134), this year’s figure was still at the upper end of complaints received over a five-year period.



In 2023-24, we closed 33 accepted privacy complaints and resolved 11 through mediation. Seventeen complaints remain open at 30 June 2024.

The Information Commissioner may decline to deal with a privacy complaint for several reasons, including when:

- it does not meet the requirements set out in the IP Act. For example, the complainant has not first complained to an appropriate person within the relevant entity and given the entity appropriate time to respond.
- it is more than 12 months since the complainant first became aware of the act or practice the subject of the complaint, or
- the complaint is ‘frivolous, vexatious, misconceived or lacking in substance’. For example, it is not within the OIC’s jurisdiction. An example would be if the entity complained about is a Commonwealth Government agency or the complaint does not disclose a breach of the relevant privacy principles.

The Information Commissioner may decline to further deal with a privacy complaint in circumstances including where:

- the complainant does not comply with a reasonable request.
- the Information Commissioner is satisfied on reasonable grounds that the complainant has not cooperated with dealing with the complaint, or
- the complainant is unable to be contacted.

Sometimes it is relatively straightforward to decide whether we should accept a complaint. But other cases may be more difficult to work through and require OIC to seek additional information from the agency and the complainant.

The most common reasons the OIC declined to deal with a privacy complaint were:

- the complainant not meeting the requirements set out in the IP Act, for example, the complainant did not first complain to the appropriate person within the relevant entity and give the entity appropriate time to respond

- the complaint was misconceived
- the complaint was lacking in substance
- the entity has not yet had an adequate opportunity to deal with the complaint.

Under the IP Act our investigative powers are limited and so, at times, we are dependent on the cooperation of the parties and have minimal control over the timeliness of responses and communications. We did not meet one of our performance measures during this period which was the average number of days to finalise an accepted privacy complaint (target: 140 days). We continue to look for ways to improve our timeliness in relation to the finalisation of accepted complaints and work with complainants and agencies to set clear dates when parties need to respond to our requests. We have found that these timeframes are generally well adhered to by both the complainant and respondent agency, however we will and do extend these periods when appropriate, which has contributed to the slight fall in our results compared to last year (135 days). Some examples of why we have extended timeframes include personal health issues, pursuit of parallel complaint processes and delays because agency staff are re-deployed.

Dissatisfaction with agencies' provision of personal information to third parties continues to be the most common subject of complaints.

A significant continuing challenge in managing privacy complaints is that privacy is often one element of a larger suite of concerns that are being dealt with through alternative grievance mechanisms. Some of the other issues include human rights concerns, industrial actions, worker's compensation claims, internal disciplinary processes and compliance activities. The parallel administration of these grievances can impact the timeliness of the parties' responses and communications in their privacy complaint and also a party's willingness to understand the limitations of what outcomes are achievable through a privacy complaint.

When a complainant has fixed expectations about the outcome of a privacy complaint this can make mediation more difficult.

These issues can include seeking unrealistic compensation or wanting an outcome that addresses something beyond the privacy breach such as some other employment grievance. Of the 11 complaints mediated, nine involved a payment of money compensating the complainant for the breach. Of these nine³, eight complaints involved payment of \$59,000 financial compensation in total.

Of the 11 mediated privacy complaints, eight related to the inappropriate disclosure of personal information. Other issues⁴ included a failure to take reasonable steps to protect personal information (six), and inappropriate secondary use (one). There was also one complaint about an agency not maintaining accurate records of personal information.

Mediation can also be challenging in cases where the respondent agency does not accept there has been a breach of a complainant's privacy but OIC considers the complaint has sufficient merit to warrant acceptance and mediation efforts. In these instances, OIC writes to the agency concerned expressing our view on the matter and how the legislation should be interpreted.

Referral to QCAT

If, during mediation, resolving the complaint does not appear reasonably likely, the Information Commissioner must give written notice to the complainant and the respondent agency that the complainant has the option to seek referral of their privacy complaint to QCAT for its determination and remedial orders, if appropriate.

If the complainant then asks, the Information Commissioner must refer the privacy complaint to QCAT. In 2023-24, we referred 12 complaints to QCAT. We play a limited role in QCAT as we are not a party in privacy complaint proceedings.

³ OIC was not privy to the final terms of settlement for one of these nine complaints, although we were advised compensation had been agreed.

⁴ Noting that a single privacy complaint may involve more than one issue/privacy principle.

Judicial review of decisions

The Queensland Supreme Court may judicially review written decisions of the Information Commissioner under the *Judicial Review Act 1991*. In relation to privacy, those applications usually relate to the OIC declining to accept a complaint.

There were no judicial applications during the reporting period.

Waiver applications

An agency or bound contracted service provider can apply to the Information Commissioner for approval to not comply with the privacy principles or to comply in a different way. No applications were received during 2023-24.

Data breach notifications

Although agencies do not have to notify us and/or affected parties of privacy breaches, we recommend that they do as good practice. This provides for transparency by agencies and allows OIC to provide assistance to agencies to prevent future similar issues arising.

Under the *Privacy Act 1988* (Cth), private sector organisations and Commonwealth government agencies must notify certain data breaches.

The public expects to be told that a privacy breach has occurred, particularly if they or their identity are at risk of harm. This helps affected individuals to manage risk and mitigate harm. In November 2023, the Queensland Government passed the IPOLA Act which will introduce a mandatory notification of data breach scheme in Queensland once it becomes operative. It is anticipated that this will commence on 1 July 2025, apart from local governments for which it will commence 12 months later, on 1 July 2026.

While Queensland's mandatory data breach notification scheme has not yet commenced, some agencies tell us about their data breaches voluntarily, if only for seeking advice on how to manage them. This reflects agency awareness of good privacy practices

and public expectations for those agencies that have notified the OIC and the affected parties of the breaches. Most of the breaches involved limited, one-off incidents caused by human error.

In 2023-24, we received 41 voluntary notifications from agencies of privacy breaches, the same number of notifications we received the previous year. A small number of incidents involved many affected individuals and could lead to a large number of complaints. However, we have not seen that notifying people about a privacy breach has led to a significant increase in privacy complaints made to the OIC. It is likely that if an agency notifies affected individuals promptly and appropriately enabling them to protect themselves, any potential harm can be reduced or mitigated. It also helps to maintain trust and confidence in the agency.

Improving our service

We evaluate our privacy services and engage with stakeholders including through the delivery of training sessions, and presentations.

Generally, the delivery of training and presentations is via a hybrid model which includes both in person and online presentations. Refer to page 24 for more information about our training.

Presentations were delivered to various stakeholders on information privacy issues, including across State and local government and to university academics.

OIC staff also participated in several Queensland Government Communities of Practice (CoP) as part of our ongoing engagement with stakeholders. OIC used CoP forums over the financial year to raise agency awareness about information privacy risks and reforms, including the introduction of the MNDB scheme. Our participation in CoPs also helped the OIC to keep abreast of emerging trends and issues.

More information about our key partnerships and networks is available on page 29.

ASSISTANCE AND MONITORING

Promote greater awareness of right to information and information privacy in the community and within government. Improve agencies' practices in right to information and information privacy.

Our strategies

- Use a range of communication and engagement initiatives to help the community to understand and exercise their information access and privacy rights
- Co-design training and online resources with agencies to increase capability across the sector
- Continue to provide quality information and assistance to both the community and agencies through the Enquiries Service
- Develop and publish relevant, informative and accurate resources to assist agencies and the community to better understand the legislation
- Strengthen key partnerships and strategic networks to build expertise, resources and achieve better common outcomes
- Monitor, audit and report on agencies' information management and information privacy practices and on their compliance with the legislation
- Make audit recommendations on both specific and systemic matters
- Support agencies to self-assess and improve their performance monitoring of key aspects of RTI and IP to drive leadership focus on action in key risk areas.

Figure 13. Assistance and monitoring service standards

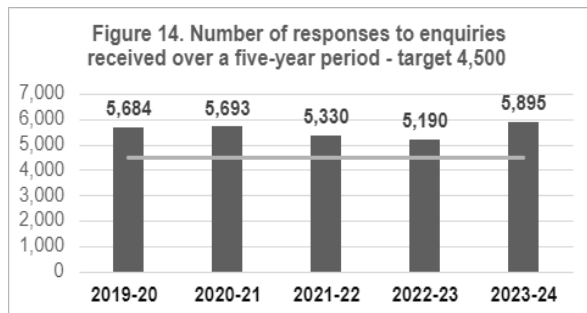
Service standard	Target	Achievement				
		2019-20	2020-21	2021-22	2022-23	2023-24
Agency overall satisfaction with the OIC Enquiries Service	80%	100%	99%	98%	100%	97%
Agency overall satisfaction with the information resources provided by OIC	80%	99%	98%	98%	99%	96%
Number of responses to written and oral enquiries	4,500	5,684	5,693	5,330	5,190	5,895
Cost of providing advice and guidance per Enquiry Service response*	<\$55	n/a	n/a	n/a	n/a	\$49
Percentage of training participants satisfied with sessions	75%	98%	97%	100%	99%	99%
Number of training participants	4,000	12,997	8,738	8,931	7,942	4,080
Number of reports tabled in Parliament	5	3	5	2	4	4
Number of awareness activities conducted including online interactions	250	353	321	280	304	362
Number of website visits	150,000	283,715	317,186	317,672	295,270	286,098

* This is a new service standard commencing in 2023-24.

Enquiries service

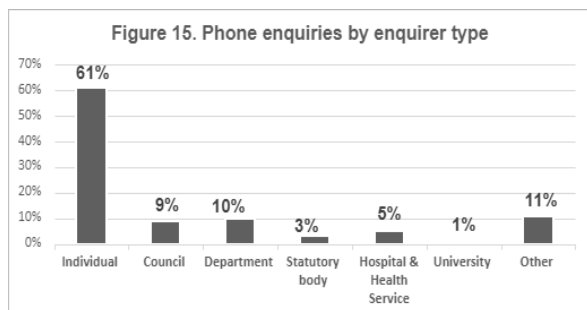
Our Enquiries Service responded to 5,895 enquiries in 2023-24, which is the largest number of responses to date. We received specific enquiries, general questions and requests for assistance through various channels:

- 4,039 (68.5 percent) telephone calls
- 1,767 (30 percent) emails/letters
- 89 (1.5 percent) web enquiries.



The majority of enquiries were about access to or amendment of documents under the RTI and IP Acts (60.5 percent) followed by privacy principles or complaints (15.5 percent), other – miscellaneous (13 percent) and other jurisdiction (11 percent).

We responded to enquiries from a wide range of stakeholders including members of the public, journalists, Ministers and Members of Parliament, universities and government agencies. Enquiries ranged in substance from members of the public wanting to learn more about their information access and privacy rights to complex agency issues of legislative interpretation and application.



We provided comprehensive information and assistance, often in writing with links to relevant online resources, such as guidelines and decisions.

We offer an extensive suite of resources for agencies and members of the community. These are available on our website at www.oic.qld.gov.au.

In 2023-24, we updated 28 guidelines and nine information sheets to ensure they were accurate and provided relevant information to our stakeholders. We also published one new guideline and one new information sheet to meet the changing needs of agencies and the public.

In addition, we published 10 guidelines on the amendments to the RTI Act and IP Act under the *Information Privacy and Other Legislation Amendment Act 2023*. These guidelines will assist agencies to prepare for the changes and make necessary updates to systems, processes and policies for their commencement on 1 July 2025.

Our Enquiries Service continued to offer tailored information and assistance in response to queries from members of the public and agency officers. We were responsive to the needs of our stakeholders and delivered important messages via different mediums to support decision makers and inform the public on topical issues.

Training

In 2023-24, we delivered:

- face-to-face workshops and training on privacy and RTI principles and practices
- tailored online training courses for agency staff including officers from specific business units within government
- webinars on a range of topics including those specific to information access and privacy officers
- e-lectures on privacy and right to information principles and practices.

We offered training on privacy in local government, setting up for success at the front end of processing an access application, dealing with personal information in an emergency, privacy impact assessments, privacy breaches and decision writing.

We delivered tailored training to agency officers in Brisbane as well as Cairns and Hinterland Hospital and Health Service and Torres and Cape Hospital and Health Service (in person) and to agency staff across Queensland (online) including Whitsunday Regional Council.

Online training

Individuals and agencies can access our training courses free of charge. We recommend Queensland public sector agencies train their staff at induction and through regular refresher courses by using examples and scenarios relevant to their operating environment.

Our suite of online training courses included:

- IP Act - general awareness
- An introduction to RTI
- RTI – Stepping through rights, responsibilities and roles
- Public health agencies and the IP Act
- Privacy complaint management training
- Access training for decision makers (three separate modules).

We continued using web-based technologies to maximise learning opportunities for stakeholders, and better meet the changing needs and work arrangements of public sector agencies. Online delivery allows interested stakeholders to participate regardless of their location throughout Queensland.

Where appropriate, we record training presentations and publish them on our website so they can be accessed on demand.

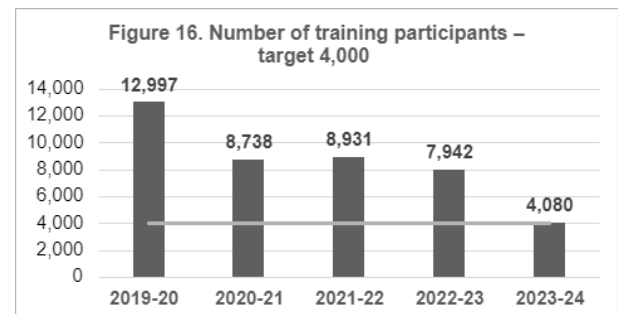
Our web-based training in 2023-24 included:

- Access application handling
- Substantial and unreasonable diversion of resources
- Privacy Impact Assessments
- Privacy by Design
- Drafting personal information collection notices
- Privacy breaches and complaint management

- Third party consultation
- General RTI and IP awareness

In 2023-24, 4,080 participants completed our training with 99 percent of training participants were satisfied with the sessions they completed. This is a 49 percent decrease in the number trained in 2022-23 (7,942).

The decrease might be attributed to factors like agencies developing their own training, or staff only undertaking our online training when commencing employment (induction).



Promoting awareness

Key activities

International Access to Information Day

International Access to Information Day (IAID) is held annually on 28 September to raise awareness of every individual's fundamental human right to access government-held information and to promote public participation in government.

In 2023, IAID featured the theme 'Digital inclusion: Connecting people to information'. Digital inclusion means ensuring people can use the internet and technology to improve their daily lives.

This is not just a technology issue. Digital inclusion is about ensuring that all Australians can access and use digital technologies effectively.

We are now experiencing an accelerating digital transformation in many aspects of economic and social life. Everyone should have the opportunity to benefit from digital technologies: to manage their health, access education and services, participate in cultural activities, organise their finances, follow news and media, and connect with family, friends, and the wider world. This extends to using digital technologies to access government-held information or exercise information access rights.

We provided agencies and the community with a range of resources to help raise awareness about information access rights and responsibilities.

2023 Solomon Lecture

The annual Solomon Lecture forms an important part of IAID activities. It recognises the contribution of Dr David Solomon AM to greater and easier access to government-held information in Queensland. The 2023 Solomon Lecture was delivered by Ms Talei Elu, 2023 Queensland Young Australian of the Year and Queensland representative on the First Nations Digital Inclusion Advisory Group. Ms Elu's keynote was titled, 'The Story of Seisia – How access to information in remote Indigenous communities can help to solve complex problems'.

Ms Elu shared her story about how the people of Seisia harnessed the information and contacts they had to lobby for better telecommunications infrastructure, ultimately securing a \$1.09 million tower through the Regional Connectivity Program.

Following the keynote, a panel of experts held a discussion on digital inclusion for all Australians. The panel included Professor Michael Dezuanni, Professor and Program Leader, Digital Media Research Centre, QUT, Mr Chatur Zala, CEO, Cherbourg Aboriginal Shire Council, Mr Chris McLaren, Chief Customer and Digital Officer, Queensland Government Customer and Digital Group and Ms Kim Skubris, journalist and media personality (event emcee and panel moderator).

A recording of the event is available on our website and YouTube channel.

Privacy Awareness Week

We participated in Privacy Awareness Week from 6 to 12 May 2024, as an active member of the Asia Pacific Privacy Authorities. The theme '*Privacy and technology: improving transparency, accountability and security*' was aimed at the community and public sector.

Newly appointed Australian Privacy Commissioner, Ms Carly Kind, delivered the keynote presentation, sharing insights,

challenges, and learnings from the changing privacy landscape in Australia. This was followed by an expert panel discussion including Mr Chris McLaren, Chief Customer and Digital Officer, Queensland Government, Mr Scott McDougall, Queensland Human Rights Commissioner, Mr Paxton Booth, Privacy Commissioner, Queensland and Ms Kim Skubris, journalist and event emcee.

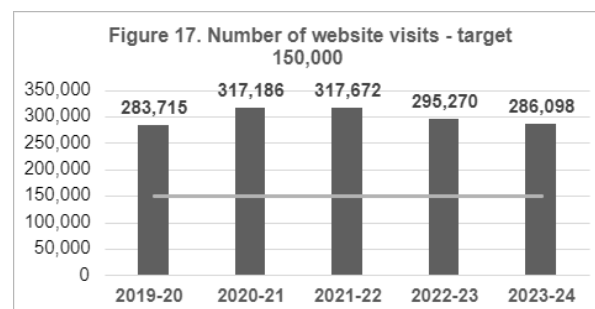
The event recording is available on our website and YouTube channel.

Digital engagement

Our website is a primary communication tool and a key source of knowledge for stakeholders. We continued advertising our website and encouraged visitors to use our extensive resources designed to promote awareness of information rights and responsibilities of all stakeholders.

Our website features annotated legislation with commentary and case references to assist in the application of the RTI and IP Acts.

During the reporting period our website received 286,098 visits. This is a small decrease from 295,270 in 2022-23.



We continued to use web-based technologies, such as social media and multimedia, as valuable and cost-effective communication methods. We engaged with the public sector and community through our dedicated YouTube Channel, X (Twitter) feed and LinkedIn presence.

Rural and regional engagement

We provide targeted support to rural and regional agencies to increase awareness of information rights and responsibilities, meet community expectations and improve compliance with the legislation.

During the year, we met with agency leaders and staff. For example:

- Cairns and Hinterland Hospital and Health Service and Torres and Cape Hospital and Health Service.

In 2023-24, we conducted 362 awareness activities exceeding our target of 250.

Submissions

In 2023-24 OIC made 13 formal submissions to parliamentary inquiries, commissions and to the Queensland and Australian Governments:

- Submission to the Community Support and Services Committee's inquiry into the Child Safe Organisations Bill 2024
- Submission to the Housing, Big Build and Manufacturing Committee's inquiry into the Brisbane Olympic and Paralympic Games Arrangements Amendment Bill 2024
- Submission to the Community Safety and Legal Affairs Committee's inquiry into the Queensland Community Safety Bill 2024
- Submission to the Cost of Living and Economics Committee's inquiry into the strategic review of the Queensland Audit Office
- Submission to the Reviewer for the Independent review into the Crime and Corruption Commission's reporting on the performance of its corruption functions
- Submission to the Community Safety and Legal Affairs Committee's inquiry into the Corrective Services (Promoting Safety) and Other Legislation Amendment Bill 2024
- Submission to the Victorian Parliament Integrity and Oversight Committee's inquiry into the operation of the Freedom of Information Act 1982 (Vic)
- Submission to the Senate Economics Legislation Committee's inquiry into the Digital ID Bill 2023 and the Digital ID (Transitional and Consequential Provisions) Bill 2023
- Submission to the Legal Affairs and Safety Committee's inquiry into the Casino Control and Other Legislation

Amendment Bill 2023

- Submission to the Education, Employment and Training Committee's inquiry into the Information Privacy and Other Legislation Amendment Bill 2023
- Submission to the Community Support and Services Committee's inquiry into the Public Records Bill 2023
- Submission to the Department of Industry, Science and Resources' Discussion Paper – Safe and Responsible AI in Australia
- Submission to the Economics and Governance Committee's inquiry into the Integrity and Other Legislation Amendment Bill 2023.

Audit and evaluation

We audit and review government agencies and report on their performance and RTI and IP practices. Government agencies include departments, local government, statutory authorities, hospital and health services and public universities. Our strategic audit planning process assesses the value and achievability of potential audit topics.

Environmental scanning and stakeholder engagement support the process to ensure our program of audits is risk-based and contributes to our objective of improving government agencies' practices.

Reports to Parliament

We submit reports on the outcomes of audits and reviews under the RTI Act to the Parliamentary Committee for Community Safety and Legal Affairs, and under the IP Act to the Speaker of the Legislative Assembly, for tabling in Parliament.

In 2023-24 we tabled four reports:

- Follow-up audit – Sunshine Coast Regional Council
- Publishing information about council meetings and councillor discretionary funds
- Follow-up audit – Publishing information about waste management
- Reporting on RTI and IP statistics – Survey results.

All our tabled reports are available at www.oic.qld.gov.au/publications/reports

Follow-up audit – Sunshine Coast Regional Council

This audit followed on from our 2021-22 audit that made 22 recommendations to improve the council's practices and compliance with legislated requirements. The council supported all 22 recommendations and agreed to their implementation within a limited timeframe, which was an ambitious and commendable undertaking by the council.

The follow-up audit found that Sunshine Coast Regional Council made considerable progress in implementing the recommendations. It has undertaken a significant body of work to improve its right to information and privacy practices. It has fully implemented 11 recommendations, partially implemented four and is on track to implement a further five recommendations. The council has made some progress to implement the remaining two recommendations.

Publishing information about council meetings and councillor discretionary funds

The audit was one of a series of audits on mandated publication. The *Local Government Act 2009* and *Local Government Regulation 2012* prescribe information that local governments must make publicly available to promote openness, good government and meaningful community engagement.

We completed a desktop review of six local government websites and looked at whether they provide timely and easy access to up-to-date information about council meetings and discretionary funds for councillor use.

We found the six reviewed councils:

- Meet and exceed publication requirements for council meetings
- Generally meet publication requirements for councillor discretionary funding.

While all council meeting information is easy to find, use and is up to date, there are opportunities to make the public aware of the availability of councillor discretionary funds, and to find out where those funds have gone.

Follow-up audit – Publishing information about waste management

In 2022, we examined the legislative requirements in the *Waste Reduction and Recycling Act 2011* about publishing waste management plans and strategies. We assessed the extent to which the departments met these requirements.

We made six recommendations to the lead departments and five recommendations to all government departments about their waste reduction and recycling plans. The follow-up audit assessed the progress made by government departments in implementing these recommendations.

The two lead departments responsible have done significant work. Five of six recommendations are fully implemented. One recommendation is in progress to full implementation.

Departments have improved their compliance with the publication requirements about their waste reduction and recycling plans. However, progress is not uniform, and more work is needed to ensure they all meet the legislative requirements.

Reporting on RTI and IP statistics

It is necessary to measure and report on how the RTI Act and IP Act operate to assess whether government agencies are achieving the Acts' objects of proactive disclosure and the safeguarding of personal information.

In anticipation of OIC becoming responsible for reporting on the operation of the Acts, we conducted a short survey to better understand agencies' views on the annual reporting requirements and process.

The 69 agencies that completed our survey said they want to report on meaningful statistics and measures relevant to the broader aims of the Acts. This includes proactive disclosure and safeguards about personal information.

The responding agencies were supportive of the Open Government Partnership metrics to enable better benchmarking with other jurisdictions. They also said they would welcome an easier, quicker and more efficient process to collate reportable statistics.

Key partnerships and networks

In 2023-24, we continued to assist agencies, and build and maintain key partnerships and networks. This included:

- Engaging and supporting agencies across sectors including other stakeholders to promote information rights and responsibilities in Queensland as well as highlighting their commitment to right to information during key campaigns.
- Supporting the RTI and IP practitioners' network, which facilitates sharing information and good practice guidance through a subscription service and forums. A steering committee of agency representatives ensures topics meet practitioner needs.
- Working with the International Association of Privacy Practitioners, which facilitates connections between Queensland and Australia's privacy practitioners.
- The Privacy Commissioner attending regular meetings as a member of the Queensland Government Cyber Security Committee.
- Engaging with the Asia Pacific Privacy Authorities, which provides the main forum for privacy and data protection regulators in our region. Members form partnerships and exchange ideas about privacy regulation, new technologies and the management of privacy issues. The Privacy Commissioner and Information Commissioner attended forums during 2023-24.
- Maintaining our membership in the International Conference of Information Commissioners (ICIC), and participating in international activities consistent with the ICIC objectives.
- Discussing issues and trends relevant to Australian and New Zealand jurisdictions with members of the Association of Information Access Commissioners, including contemporary challenges to information access and heightened risks that require a concerted and complementary approach by integrity agencies and government.
- Meeting with members of Privacy Authorities Australia to discuss issues and trends about protecting individuals' personal information and data.

Improving our service

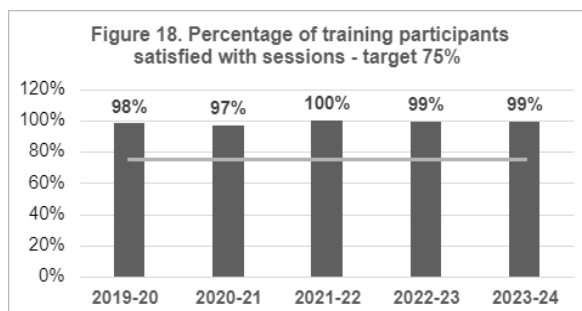
In 2023-24 we:

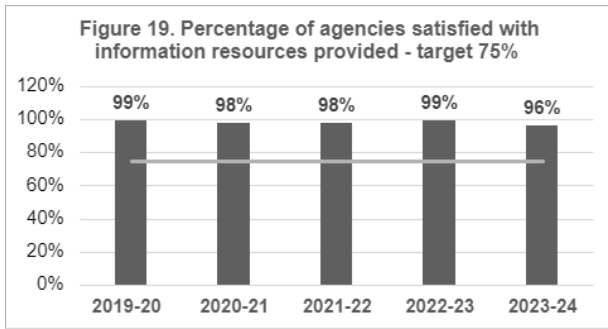
- evaluated the performance of Privacy Awareness Week and International Access to Information Day events and identified improvements for future events
- reviewed existing information resources, including training resources, to meet stakeholder needs
- identified new ways to engage with agency officers to quickly and effectively inform them of changes in interpretation
- partnered with agencies as part of our Privacy Awareness Week and International Access to Information Day activities to raise awareness of information access and privacy rights
- met with key stakeholders to better understand their needs and inform our service delivery strategies, and to identify opportunities for partnership and collaboration
- published resources for agencies responding to a privacy breach
- published resources to support agencies to implement the forthcoming amendments to the RTI and IP Acts.

Feedback

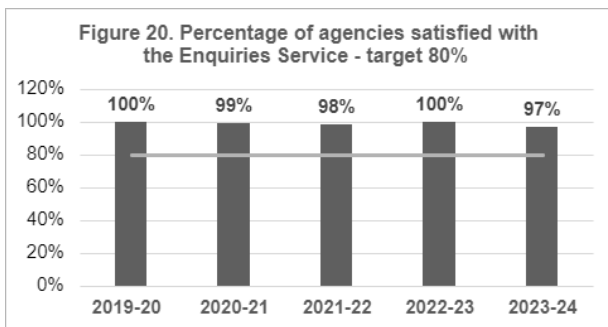
In 2023-24, we received feedback on our assistance and monitoring service by:

- measuring training participants' satisfaction (see Figure 18)
- surveying agencies satisfaction about our guidelines and information sheets (see Figure 19)
- surveying agencies about our Enquiries Service (see Figure 20).





*We split this question into five separate questions to obtain more specific feedback on whether agencies think our guidelines and information sheets are easy to find, understand, relevant, accurate and complete. The 2021-22 Service Delivery Statements measure average responses, except for 'easy to find' which is considered separately.



*We split this question into five separate questions to obtain more specific feedback on the agencies' interactions with the Enquiries Service: ease of access; timeliness of response; listening and understanding; clear, relevant information; answer to the enquirer's query. The percentage total represents an average of the responses provided.

CORPORATE SERVICES

This team incorporates Information Technology, Business Services, Human Resources and Finance, alongside Information and Assistance, and Training and Stakeholder Relations functions that support the effective discharge of the office's obligations under the RTI and IP Acts.

In 2023-24, we had in place a service level agreement with the Corporate Administration Agency for human resource, internal audit and finance services and a contract with Datacom for ICT support and hosting services.

Our expenditure for corporate services was \$563,971. This is an increase of \$192,595, from 2022-23 (\$371,377), mainly due to service providers imposing significant cost increases reflecting global inflationary pressure.

Information and technology

The ICT function focuses on generating and maintaining technologies that are responsive, follow contemporary industry standards and meet the needs of the executive, staff and our stakeholders.

Achievements in 2023-2024 included:

- Network simplification and improvements. Our relocation offered an opportunity to decommission aged equipment and commission a new network. This reduced reliance on legacy hardware while increasing security.
- Upgrade to our Wi-Fi network bringing it in line with newer technologies, with faster connections and improved security.
- Increased focus on cyber security. We continue to work with our service provider to implement various security measures to ensure system and user safety.
- New Teams meeting rooms. The move to new premises made available additional technology for connecting effectively with external and internal stakeholders. OIC continues to use digital collaboration tools for meetings, webinars and training in a secure and

effective manner.

- End point security improvements. This increases the protection for all devices by use of more modern cloud-based solutions.
- TechnologyOne Cloud implementation. This involved moving OIC from an on-premises version to software as a service (SaaS) solution.

Work continues on modernising our systems and delivering efficiency improvements. These goals are reflected in the two key organisational projects concluded and commenced in 2023-24.

Case management system replacement

In 2023-24, OIC embarked on an ambitious and business critical project to replace our case management system which had been in place for over 10 years. While it has been reconfigured extensively to suit our business needs over that time, advances in technology and the additional requirements introduced by the IPOLA reforms meant that a new system was required. This new solution will ensure the continued safe management of personal information of OIC applicants and complainants, as well as important and sensitive government-held information, including that connected with the Mandatory Notification of Data Breach scheme and OIC annual reporting requirements.

In the reporting year, OIC undertook a comprehensive and open procurement process to identify a preferred solution and supplier, undertook a discovery phase to confirm requirements and costings, and embarked on the build phase of the project.

It is anticipated that delivery of the project will be completed in 2024-25 for full deployment in advance of new IPOLA requirements coming into effect.

SharePoint Rollout

In 2024-25, OIC concluded its 'The Point of Truth' (TPOT) project which allowed OIC to commence using SharePoint and AvePoint as our electronic document and record management solution (eDRMS). A comprehensive review of security groups and roles was conducted in alignment of this project.

Completion of this phase of the improvements gave OIC the opportunity to work effectively in using, retaining and disposing of digital information in compliance with the *Public Records Act 2002*. These changes mean that the whole lifecycle of documents can now be managed digitally.

Embedding SharePoint as OIC's digital document and records management system allows the organisation to take advantage of benefits such as the enhanced security, extensibility and integration with Microsoft 365.

Improving our service

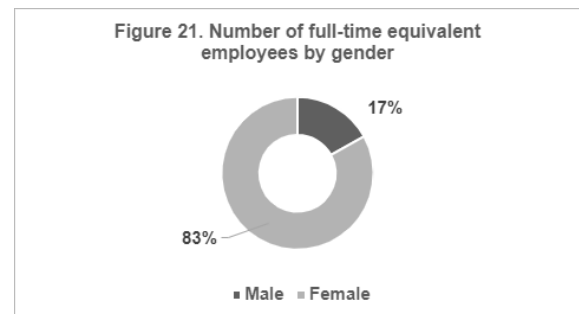
Throughout the year, we continued to enhance our corporate services by:

- delivering updated strategic and operational plans to guide the efforts of the agency
- reviewing internal policies and procedures to ensure they are contemporary, achieve organisational consistency and support our business practices
- responding to audit findings to continually improve our governance practices and minimise our organisational risks
- updating our ICT tools and services to maximise efficiencies and increase digital capabilities
- undertaking agency and applicant surveys to measure satisfaction rates
- investing in staff skills and tools to improve capability in data analysis and reporting
- collaborating with staff to align our developmental focus with our strategic goals and their career goals.

Human resources and our people

As at 30 June 2024, OIC had an approved establishment of 51.1 full-time equivalent (FTE) (inclusive of our three Commissioners who are statutory appointees) and an active paid establishment of 48.39 FTE. 72 percent of our active and paid employees are permanent employees, 12 percent are seconded from other Queensland Government agencies and 16 percent are temporary employees.

Five permanent employees separated or resigned from OIC during 2023-24, resulting in a permanent separation rate of 9.1 percent.



No early retirement, redundancy or retrenchment packages were processed during the 2023-24 financial year.

Machinery-of-government changes

We have not been directly affected by machinery-of-government changes.

Flexible working arrangements

All flexible working options available to OIC employees are outlined in OIC's *Flexible Working Policy and Remote Working Procedure*. All employees are actively encouraged and supported to access flexible work options including flexible start and finishing times, part-time work arrangements, hybrid/remote work arrangements and use of accrued time.

All employees who choose to work within a hybrid working model have an approved remote work agreement in place, which clearly outlines the requirements relating to information security and workplace health and safety.

Further, OIC recognises that flexible work arrangements assist in attracting a highly skilled workforce and as such, all vacancies advertised during 2023-24 were advertised as a flexible position type, with job advertisements promoting OIC's available flexible work arrangements. Currently, 22 employees work part-time.

Workforce Planning

We are committed to attracting and retaining a workforce that is inclusive, diverse, engaged, agile and high performing.

During 2023-24, we welcomed 198 new employees to OIC. This relatively high figure is attributed to new fixed term positions created as part of the IPOLA project team and vacancies arising from staff movements and separations.

During 2023-24, OIC commenced a workforce planning and design review project. The purpose of the project was to assess OIC's current and future workforce requirements and ensure an organisational structure and design that is fit for purpose. The project is still underway and is planned to be finalised in the 2024-25 financial year.

On an operational level, as with previous years, OIC has a relatively small resource base with increased demand for our services, and as such we have continued, where possible, to review how we can effectively and efficiently provide our statutory functions and services, in line with community expectations and stakeholder demand.

Health, safety and wellbeing

OIC is committed to providing a safe, responsive and inclusive workplace environment for all employees. We recognise the important role a workplace has in relation to employee health and wellbeing, and as such we aim to support our employees through appropriate workplace policies, procedures, work practices and initiatives.

During 2023-24, we reinvigorated our Health Safety and Wellbeing Committee with new committee members representing all OIC teams across the

organisation. The committee meets no less than four times a year with the purpose of consulting with, and representing the interests of OIC employees and to provide a voice that promotes a safe, healthy and well workplace.

The OIC's *Health, Safety and Wellbeing Policy* outlines our commitment to continuous improvement and our employee-centric approach to health, safety and wellbeing. The policy underpins all relevant initiatives and training opportunities made available to OIC employees during 2023-24.

Several new initiatives were rolled out and existing initiatives continued during 2023-24, including:

- Commenced an embedded staff wellbeing program trial, aimed at supporting the emotional and psychosocial wellbeing of our employees.
- Recognising/promoting key days of significance including RUOK? Day and Women's Health Week.
- Employee Assistance Program.
- Sit-stand desks for all employees.
- Support to utilise the 2024 Free Influenza Vaccination Program.
- Mandatory health, safety and wellbeing online training for all new employees.
- Optional online health, safety and wellbeing training for all OIC employees.

Investing in our people

We support and invest in our people through new employee inductions, performance management and development reviews and a variety of training and development opportunities.

During 2023-24, we conducted many employee focused activities including:

- Commenced the development and testing of an online Performance Management System to be rolled out to all employees during 2024-25.

- Worked with employees to identify and implement action items through the 2023 Working for Queensland Survey results.
- Supported performance and development reviews.
- Supported many professional development and career growth opportunities through both formal and informal training opportunities and higher duties engagement.
- Consulted and engaged with employees on a wide range of issues including policy reviews, strategic and operational planning and health, safety and wellbeing initiatives.
- Converted one employee in accordance with the Review of acting or secondment at higher classification level (Directive 03/23).
- Provided free, confidential counselling and support services to staff and their immediate family members through the Employee Assistance Program.

In 2023-24, we spent \$29,623 on staff professional development including training, conference and seminars, training and workshops; a decrease of \$38,786 compared to 2022-23.

The training and development opportunities largely focused on targeted training related to the identified needs of employees, including health and safety, and developing management and leadership skills.

In addition to external professional development opportunities, we continued to implement and monitor our mandatory and compliance training offerings, which included:

- Health and safety, including workplace bullying and occupational violence
- Domestic and family violence response
- Human rights
- Code of Conduct
- Cultural capability.

Onboarding

All new staff participate in an induction process to ensure a smooth transition into their new position. During the induction process, employees are provided with information relating to employment conditions, code of conduct requirements and OIC functions and responsibilities. The induction process, inclusive of mandatory training, ensures all employees know and understand their obligations and responsibilities as OIC and public sector employees.

Additionally, OIC introduced an online onboarding portal to further enhance the onboarding experience for new staff, specifically relating to the period between job offer and commencement.

2023 Working for Queensland survey

OIC participated in the annual Working for Queensland survey, with 82 percent of our employees sharing their views and experiences of working at OIC. In 2023, survey results indicated high employee engagement across many indicators, consistent with previous years.

In 2023, we had an overall engagement score of 88 percent, an increase compared to the 2022 result of 84 percent.

Our top five highest scores in 2023 were:

- Keeping You Well: My obligations (97 percent favourability)
- Fair and Equitable Treatment: Age (97 percent favourability)
- Social Support: My Workgroup Effectiveness: (97 percent favourability)
- Your Job: Task Significance (95 percent favourability)
- Social Support: Workgroup Respect and Psychological Safety (95 percent favourability).

Following a review of the survey results, OIC identified two key focus areas for 2023-24:

- Workplace safety and mental health
- Employee performance management feedback.

Survey responses were shared with all employees, through both an information session and distribution of full survey results. Employees were invited to share their thoughts and ideas regarding the identified key focus areas for 2023-24.

OIC will continue to respond appropriately to survey results through employee consultation and implementing initiatives and/or reviewing workplace practices as required.

Consulting and engaging with staff and union

During 2023-24, OIC re-established its Consultative Committee, in accordance with the *Office of the Information Commissioner – Certified Agreement 2022*.

OIC remains committed to consulting and engaging with all employees on workplace related matters, including through the Consultative Committee.

Enterprise bargaining

The *Office of the Information Commissioner – Certified Agreement 2018*, nominally expired on 31 October 2022.

Following a period of consultation and reaching in principle agreement, an employee ballot was undertaken in August 2023. The *Office of the Information Commissioner – Certified Agreement 2022* was certified on 4 October 2023 at the Queensland Industrial Relations Commission.

OUR GOVERNANCE

The OIC is an independent integrity agency and the Information Commissioner is not subject to direction in the exercise of their functions under the RTI or IP Acts.

The Information Commissioner, Privacy Commissioner and the Right to Information Commissioner are statutory office holders appointed by the Governor-in-Council and Officers of the Parliament.

The Information Commissioner is accountable to the Community Safety and Legal Affairs Committee (CSLAC) of the Queensland Parliament and is supported by the Privacy Commissioner and the Right to Information Commissioner.

The Commissioners meet annually with the CSLAC to report on the performance of the Information Commissioner's functions and to discuss issues such as our activities, structures and procedures, budget, annual report, and any other significant matters. The CSLAC Oversight Inquiry hearing about OIC's 2022-23 performance was held on 26 July 2024.

The Information Commissioner submits an annual report to Parliament through the Speaker. Engagement with the CSLAC, our Service Delivery Statements and the Estimates Committee hearings form key elements of our governance framework and contribute to our accountability.

While the Information Commissioner is independent, the Attorney-General and Minister for Justice is responsible for the RTI Act and approves the annual budget for the Office, as required under section 133 of the RTI Act.

OIC's budget is incorporated in the Justice and Attorney-General portfolio Service Delivery Statements. The Information Commissioner appears at parliamentary estimates hearings to respond to any questions from Members of Parliament about our budget.

Legislative compliance

We comply with a range of obligations under various legislative frameworks, including:

- Embedding workplace health and safety within our culture and practices. It is everyone's responsibility to create and maintain a safe workplace. We expect all staff to identify, report and address workplace health and safety risks.
- Ensuring our staff know about their obligation to act and make decisions compatible with the *Human Rights Act 2019*.
- The Code of Conduct for the Queensland Public Sector applies to our staff. Under the *Public Sector Ethics Act 1994*, all new starters learn about the Code of Conduct through their induction program and are asked to confirm their understanding and ability to apply the code.
- All new staff must complete mandatory training at induction and periodic refreshers. The online training includes code of conduct, workplace health and safety, workplace bullying and domestic violence.
- Our Strategic Plan, staff performance agreements, procedures, practices, and training uphold the Code of Conduct, ethical decision making, and *Public Sector Ethics Act 1994*, in particular, the ethics obligations of public officials and our OIC values.

Internal engagement

Our culture is shaped by our purpose, values and behaviours. Throughout the year, we continued to work closely with our people to maintain a culture of trust and

transparency based on resilience through significant change. We actively progressed priorities in our strategic plan to better manage current and emerging challenges, risks and opportunities.

We consulted and engaged with our people on all matters that affected the way we work, including the introduction of new or updated policies and procedures, and in the development of our Enterprise Bargaining Agreement.

Throughout 2023-24, OIC staff continued to experience challenging behaviours from a small group of individuals. We trialed an embedded wellbeing program to add to the existing initiatives to address the risks posed by such interactions. We also continued to review our policies and procedures to ensure they support the health, wellbeing and safety of our staff and equitable access to our services for all stakeholders.

Internal and external audit

As a small agency, the Executive Leadership Team is responsible for the internal control framework. We have access to Corporate Administration Agency's (CAA) internal audit services on a fee-for-service basis. We use this service to support our leadership team in a range of governance activities in corporate functions such as ICT resilience, HR processes and finance management procedures.

In 2023-24, we engaged CAA to conduct an internal audit of our business continuity arrangements. The report was provided to the Information Commissioner in May 2024 and all recommendations accepted for implementation by the end of 2024.

Pages 62-63 of this report present the external audit report and certificate of our financial statements.

The Auditor-General has provided an unqualified certificate indicating our compliance with financial management requirements and the accuracy and fairness of the financial statements.

Governance oversight

We are committed to robust governance and risk management arrangements. Our arrangements and strategies for risk management reflect the functions and size of the office.

As a small organisation, our Executive Leadership Team perform our governance functions and is responsible for overseeing our governance arrangements.

During 2023-24, the Executive Leadership Team met at least monthly to oversight and determine matters including:

- human resources, and health and safety matters
- finance and procurement
- risk and audit
- information and communication technology
- strategic projects
- engagement activities
- our performance.

The primary purpose of governance oversight is to ensure effective risk management occurs in accordance with the Financial and Performance Management Standard and the *Financial Accountability Act 2009*.

Complaints management

We endeavour to resolve service complaints informally. When this is not possible, the Chief Operating Officer receives written complaints and ensures they are handled independently.

We cannot deal with complaints about the merits or legality of a decision about a privacy complaint or external review. In these circumstances, the participant may be able to appeal to QCAT or apply to the Supreme Court for review. However, appeals and reviews of this nature can be made on a point of law only.

During 2023-24, there were 15 general complaints made about our service. Ten were assessed by the Chief Operating

Officer (or Information Commissioner in their absence) with eight found to be not substantiated.

In accordance with our Complaints Management Procedure, five were assessed as not raising service issues and three were referred to the Right to Information Commissioner and two were referred to the Privacy Commissioner to address the substantive issues raised in respect of RTI and privacy matters.

We received three complaints under the *Human Rights Act 2019*.

We did not receive any public interest disclosures under the *Public Interest Disclosures Act 2010*.

Records management

We continued to promote good records management practices and maintain accurate records of our activities. We comply with the *Public Records Act 2002*, our retention and disposal schedule, and relevant policies, standards, and guidelines. The schedule guides us in managing our records. We have internal guidelines, procedures, and policies on managing information and records to support our systems. We recognise that information security is critical.

Office relocation

We are committed to flexible working arrangements, including the hybrid model with employees working in the office and from home. As a result, we have been able to lease a smaller office space to support an adaptable approach to desk occupancy. We moved into our new premises in July 2023.

We also upgraded our fleet of laptops, ensuring staff have the right tools to work efficiently, regardless of their location. The new laptops and the office relocation have reduced our running costs while maintaining or improving our productivity and staff wellbeing.

Environmental sustainability

Our waste management policy emphasises waste avoidance, reduction, reuse, and recycling.

Our office relocation has reduced our workplace footprint and our overall energy consumption. Sensors ensure that lights are turned off when no one is using the facilities. We also use significantly less paper with our focus on digital information management.

We support our staff to recycle office and kitchen waste when working onsite.

OUR FINANCIAL PERFORMANCE

Managing our budget

We ended the year in a secure financial position with adequate reserves to fulfil our responsibilities in 2023-24.

Expenses

We spent most of our approved funding (\$7.466 million or 76 percent of our total expenses) on employee-related expenses such as salaries, superannuation entitlement, long service leave and payroll tax. Our day-to-day running expenses cost \$2.411 million.

Significant operating items relate to contractor and consultants (\$798k), corporate service charges (\$564k), office accommodation (\$342k), and computer related costs such as software licensing (\$429k).

Our budget for 2023-24 has been adjusted with an approved \$0.489 million deficit to access cash reserves to fund the reclassification of senior officers, and four percent wage increase for SES and SO positions. The budget was further adjusted during the year by approval to receive an additional grant of \$2.7 million for the *Information Privacy and Other Legislation Amendment Act 2023* (IPOLA reforms). This grant is being used to access a new laptop fleet, SharePoint eDRMS adoption project, engaging ICT procurement consultants for a new CRM system, and the recruitment of a project team to carry out activities to implement and train agencies in respect of the legislative changes.

Our overall expenditure (\$9.877 million) is a 15.4 percent increase on the previous reporting period (\$7.943 million). This increase is due to:

- an increase in employee expenses in 2023-24, with approval for additional resources to carry out the IPOLA legislative reform project for an additional 7.4 full-time equivalent temporary positions

- an investment in contractor and consultants to address critical information management requirements, including the procurement process for a new CRM which can support the Mandatory Notification of Data Breach scheme which commences for agencies on 1 July 2025 and for local government on 1 July 2026.

Assets

As at 30 June 2024, our assets totalled \$4.556 million and comprise:

- \$4.260 million cash at bank
- \$0.281 million receivables and other current assets.

Liabilities

As at 30 June 2024, our liabilities totalled \$0.462 million and include:

- \$0.230 million in payables
- \$0.232 million in accrued employee benefits.

The financial statements provide an overview of our financial activities during 2023-24. The Queensland Audit Office audited these statements, our supporting documentation and our systems and processes. We received an unqualified audit opinion.

Consultants and contractors

In 2023-24, we spent \$798,454 on contractors and consultants to assist us.

The following table provides a breakdown of our total consultant expenditure over the 2023-24 reporting period.

Figure 22. Consultancy costs 2023-24

Name of consultancy provider	Reporting period	Purpose of engagement	Benefits of engagement	Engagement expenditure (\$)
Prominence Pty Ltd.	FY 2023-24	Consultation for OIC future workforce planning	Providing expert and independent advice on requirements, risks and opportunities	93,175
Cyber CX	FY 2023-24	Consultation for cybersecurity assurance of new CRM system and digital systems	Providing expert advice in relation to cybersecurity safeguards for OIC	35,250
PM Solutions (Australia) Pty Ltd.	FY 2023-24	Consultation for CRM Gate 3 Assurance	Providing independent assessment of project readiness	12,500
Consultancies under \$10,000 (aggregated)	FY 2023-24	Strategic Planning Workshop	Supporting focus on OIC's strategic priorities	7,500
Total expenditure on consultancies				148,425

Financial outlook

Figure 23. Five-year comparison of revenue versus expenses (\$'000)

	2019-20	2020-21	2021-22	2022-23	2023-24
Appropriation	7,249	7,289	7,347	7,691	11,397
Other revenue	42	25	25	122	189
Employee expenses	5,855	5,385	6,053	6,377	7,466
Supplies and services	1,776	1,446	1,183	1,540	2,375
Depreciation and amortisation	4	4	4	2	7
Other expenses	22	22	22	24	29
Surplus (Deficit)	(366)	457	110	(130)	1,709

Audited financial statements

A more detailed view of our financial performance and position for 2023-24 is in our financial statements, at page 43 of this report.

Accountable and transparent

In line with the Queensland Government's commitment to improve financial management in the public sector, we continued to review our internal accounting practices as well as the quality of information we provided to Queensland Treasury.

We worked with our corporate service provider to streamline our reporting processes and to improve the accuracy of our reporting.

We provided all requested information to the Queensland Audit Office and discussed ways to improve our financial management practices in the future.

International travel

No international travel was funded in 2023-24.

Open data

We continued to release data sets through the data.qld.gov.au portal, including:

- gifts and benefits register
- consultancies and contractors
- overseas travel
- survey results
- performance dashboard
- audit results
- about applications for and outcomes of external review.

Office of the Information Commissioner Financial Statements

for the year ended 30 June 2024

**Office of the Information Commissioner Financial Statements
for the year ended 30 June 2024**

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**Statement of Comprehensive Income
for the year ended 30 June 2024**

		2024	2024	2024	2023	
		Actual	Original Budget	Budget Variance*	Actual	
Notes	\$000	\$000	\$000	\$000	\$000	
Income from Continuing Operations						
	Grants and Contributions	3.	11,397	8,576	2,821	7,691
	Interest		189	78	111	122
Total Income from Continuing Operations			11,586	8,654	2,932	7,813
Expenses from Continuing Operations						
	Employee expenses	4.	7,466	6,994	472	6,377
	Supplies and services	7.	2,375	1,633	742	1,540
	Depreciation		7	-	7	2
	Other expenses	8.	29	27	2	24
Total Expenses from Continuing Operations			9,877	8,654	1,223	7,943
Operating Result from Continuing Operations			1,709	-	1,709	(130)
Total Other Comprehensive Income			-	-	-	-
Total Comprehensive Income			1,709	-	1,709	(130)

The accompanying notes form part of these financial statements.

** An explanation of major variances is included at Note 20.*

Office of the Information Commissioner
Statement of Financial Position
as at 30 June 2024

		2024	2024	2024	2023
		Actual	Original Budget	Budget Variance*	Actual
	Notes	\$000	\$000	\$000	\$000
Current Assets					
Cash and cash equivalents	9.	4,260	2,166	2,094	2,602
Receivables		171	173	(2)	240
Prepayments		110	55	55	88
Total Current Assets		4,541	2,394	2,147	2,930
Non-Current Assets					
Plant and equipment		15	-	15	-
Total Non-Current Assets		15	-	15	-
Total Assets		4,556	2,394	2,162	2,930
Current Liabilities					
Payables	10.	230	209	21	257
Accrued employee benefits	11.	232	171	61	288
Total Current Liabilities		462	380	82	545
Total Liabilities		462	380	82	545
Net Assets		4,094	2,014	2,080	2,385
Equity					
Accumulated surplus		4,094	2,014	2,080	2,385
Total Equity		4,094	2,014	2,080	2,385

The accompanying notes form part of these financial statements.

** An explanation of major variances is included at Note 20.*

**Statement of Changes in Equity
for the year ended 30 June 2024**

	Accumulated Surplus \$000
Balance as at 1 July 2022	2,515
Operating result from continuing operations	(130)
Balance as at 30 June 2023	2,385
Balance as at 1 July 2023	2,385
Operating result from continuing operations	1,709
Balance as at 30 June 2024	4,094

The accompanying notes form part of these financial statements.

Office of the Information Commissioner
Statement of Cash Flows
for the year ended 30 June 2024

		2024	2024	2024	2023
		Actual	Original Budget	Budget Variance*	Actual
	Notes	\$000	\$000	\$000	\$000
CASH FLOWS FROM OPERATING ACTIVITIES					
<i>Inflows:</i>					
Grants and Contributions		11,397	8,576	2,821	7,691
GST collected from customers		3	-	3	3
GST input tax credits from ATO		271	-	271	185
Other Revenue		181	78	103	141
<i>Outflows:</i>					
Employee expenses		(7,455)	(6,994)	(461)	(6,362)
Supplies and services		(2,423)	(1,633)	(790)	(1,525)
GST paid to suppliers		(260)	-	(260)	(169)
GST remitted to ATO		(3)	-	(3)	(3)
Other		(30)	(27)	(3)	(24)
Net cash provided by / (used in) operating activities		1,681	-	1,681	(63)
CASH FLOWS FROM INVESTING ACTIVITIES					
<i>Outflows:</i>					
Payments for plant and equipment		(23)	-	(23)	-
Net cash used in investing activities		(23)	-	(23)	-
Net increase/(decrease) in cash and cash equivalents		1,658	-	1,658	(63)
Cash and cash equivalents - opening balance		2,602	2,166	436	2,665
Cash and cash equivalents - closing balance	9.	4,260	2,166	2,094	2,602

The accompanying notes form part of these financial statements.

** An explanation of major variances is included at Note 20.*

**Notes to the Statement of Cash Flows
for the year ended 30 June 2024**

Reconciliation of operating result to net cash provided by operating activities

	2024	2023
	\$000	\$000
Operating Surplus/(deficit)	1,709	(130)
Non-cash items:		
Depreciation expense	7	2
Changes in assets and liabilities:		
(Increase)/decrease in trade receivables	(8)	19
Decrease in net GST receivables	11	16
(Increase)/decrease in other current assets	45	(135)
Increase/(decrease) in payables	(27)	48
Increase/(decrease) in accrued employee benefits	(56)	117
Net cash provided by/(used in) operating activities	1,681	(63)

Office of the Information Commissioner
Notes to the Financial Statements
for the year ended 30 June 2024

- Note 1: Basis of Financial Statement Preparation
- 1.1 General Information
 - 1.2 Compliance with Prescribed Requirements
 - 1.3 Presentation
 - 1.4 Authorisation of Financial Statements for Issue
 - 1.5 Basis of Measurement
 - 1.6 The Reporting Entity
- Note 2: Office Objectives
- Note 3: Grants and Contributions
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- Note 5: Key Management Personnel (KMP)
- Note 6: Related Party Transactions
- Note 7: Supplies and Services
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- 17: Events after the Balance Date
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 - 20.3 Explanation of Major Variances - Statement of Cash Flows

Office of the Information Commissioner

Notes to the Financial Statements

for the year ended 30 June 2024

1. Basis of Financial Statement Preparation

1.1 General Information

The Office of the Information Commissioner (the Office) was established under the repealed *Freedom of Information Act 1992* and continues under the *Right to Information Act 2009*.

The budget for the Office must be approved by the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence, as Minister responsible for the *Right to Information Act 2009*.

The head office and principal place of business of the Office is Level 11, 53 Albert Street, Brisbane QLD 4000.

1.2 Compliance with Prescribed Requirements

The Office has prepared these financial statements in compliance with section 39 of the *Financial and Performance Management Standard 2019*. The financial statements comply with Queensland Treasury's Minimum Reporting Requirements for reporting periods beginning on or after 1 July 2023.

The Office is a not-for-profit entity and these general purpose financial statements are prepared on an accrual basis (except for the Statement of Cash Flows which is prepared on a cash basis) in accordance with Australian Accounting Standards and Interpretations applicable to not-for-profit entities.

New accounting standards early adopted and/or applied for the first time in these financial statements are outlined in Note 16.

1.3 Presentation Currency and Rounding

Amounts included in the financial statements are in Australian dollars and rounded to the nearest \$1,000 or, where that amount is \$500 or less, to zero, unless disclosure of the full amount is specifically required. Due to rounding, totals may not add exactly.

Comparatives

Comparative information reflects the audited 2022-23 financial statements.

Current/Non-Current Classification

Assets and liabilities are classified as either 'current' or 'non-current' in the Statement of Financial Position and associated notes.

Assets are classified as 'current' where their carrying amount is expected to be realised within 12 months after the reporting date. Liabilities are classified as 'current' when they are due to be settled within 12 months after the reporting date, or the Office does not have an unconditional right to defer settlement to beyond 12 months after the reporting date.

All other assets and liabilities are classified as non-current.

1.4 Authorisation of Financial Statements for Issue

The financial statements are authorised for issue by the Information Commissioner and the Chief Operating Officer (former title - Director, Engagement and Corporate Services) at the date of signing the Management Certificate.

1.5 Basis of Measurement

Historical cost is used as the measurement basis in this financial report unless specified otherwise.

Office of the Information Commissioner

Notes to the Financial Statements

for the year ended 30 June 2024

1. Basis of Financial Statement Preparation (cont'd)

1.5 Basis of Measurement (cont'd)

Historical Cost

Under historical cost, assets are recorded at the amount of cash or cash equivalents paid or the fair value of the consideration given to acquire assets at the time of their acquisition. Liabilities are recorded at the amount of proceeds received in exchange for the obligation or at the amounts of cash or cash equivalents expected to be paid to satisfy the liability in the normal course of business.

1.6 The Reporting Entity

The financial statements include all income, expenses, assets, liabilities and equity of the Office. The Office has no controlled entities.

2. Office Objectives

The Office's objectives are to:

- Provide independent, timely and fair reviews of decisions made under the *Right to Information Act 2009* (RTI Act) and *Information Privacy Act 2009* (IP Act)
- Assist agencies to adopt privacy by design and achieve compliance with the privacy principles
- Provide an independent, timely and fair privacy complaint mediation service
- Promote greater awareness of right to information and information privacy in the community and within government
- Improve agencies' practices in right to information and information privacy

The Office is a statutory body for the *Financial Accountability Act 2009*. The role of the Office is to perform the statutory functions set out in the RTI Act and IP Act which include:

- External review of agency decisions on information access applications
- Reviewing and reporting on agencies' performance under the RTI Act and IP Act, including personal information handling practices
- Mediating privacy complaints and making decisions on applications of waiver of the privacy principles
- Providing support and assistance to the community and agencies about the operation of the RTI Act and the IP Act, including an Enquiries Service
- Promoting awareness of Right to Information and Privacy issues
- Commenting on legislation and administrative changes to improve practice

Office of the Information Commissioner
Notes to the Financial Statements
for the year ended 30 June 2024

	2024	2023
	\$000	\$000
3. Grants and Contributions		
Grants from Queensland Government through Department of Justice and Attorney-General	11,397	7,691
Total	11,397	7,691

Accounting Policy - Grants and Contributions

Income is received from Queensland Government through Department of Justice and Attorney-General at the start of each quarter (July, October, January and April) and is recognised as Income in the month it is received.

Grants are non-reciprocal transactions where the Office does not directly give approximately equal value to the grantor.

The grant is accounted for under AASB 1058 *Income of Not-for-Profit Entities*, whereby revenue is recognised upon receipt of the grant funding.

4. Employee Expenses

Employee benefits

Salaries & wages	5,518	4,681
Annual leave levy	593	479
Employer superannuation contributions	810	641
Long service leave levy	142	126
Other employee benefits	14	17

Employee related expenses

Payroll tax	313	260
Workers' compensation premium	21	18
Other employee related expenses	55	155

Total	7,466	6,377
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	No.	No.
Full-Time Equivalent Employees	48.39	40.76

Accounting Policy - Wages and Salaries

Wages and salaries due but unpaid at reporting date are recognised in the Statement of Financial Position at the current salary rates. As the Office expects such liabilities to be wholly settled within 12 months of reporting date, the liabilities are recognised at undiscounted amounts.

Accounting Policy - Sick Leave

Prior history indicates that on average, sick leave taken each reporting period is less than the entitlement accrued. This is expected to continue in future periods. Accordingly, it is unlikely that existing accumulated entitlements will be used by employees and no liability for unused sick leave entitlements is recognised. As sick leave is non-vesting, an expense is recognised for this leave as it is taken.

Office of the Information Commissioner
Notes to the Financial Statements
for the year ended 30 June 2024

4. Employee Expenses (cont'd)

Accounting Policy - Annual Leave

The Office is a member of the Queensland Government's Annual Leave Central Scheme (ALCS). Under this scheme, a levy is made on the Office to cover the cost of employees' annual leave (including leave loading and on-costs). The levies are expensed in the period in which they are payable. Amounts paid to employees for annual leave are claimed from the scheme quarterly in arrears.

Accounting Policy - Long Service Leave

Under the Queensland Government's Long Service Leave Scheme, a levy is made on the Office to cover the cost of employees' long service leave. The levies are expensed in the period in which they are payable. Amounts paid to employees for long service leave are claimed from the scheme quarterly in arrears.

Accounting Policy - Superannuation

Post-employment benefits for superannuation are provided through defined contribution (accumulation) plans or the Queensland Government's QSuper defined benefit plan as determined by the employee's conditions of employment.

Defined Contribution Plans - Contributions are made to eligible complying superannuation funds based on the rates specified in the relevant EBA or other conditions of employment. Contributions are expensed when they are paid or become payable following completion of the employee's service each pay period.

Defined Benefit Plan - The liability for defined benefits is held on a whole-of-government basis and reported in those financial statements pursuant to AASB 1049 Whole of Government and General Government Sector Financial Reporting. The amount of contributions for defined benefit plan obligations is based upon the rates determined on the advice of the State Actuary. Contributions are paid by the Office at the specified rate following completion of the employee's service each pay period. The Office's obligations are limited to those contributions paid.

Accounting Policy - Workers' Compensation Premiums

The Office pays premiums to WorkCover Queensland in respect of its obligations for employee compensation. Workers' compensation insurance is a consequence of employing employees, but is not counted in an employee's total remuneration package. It is not employee benefits and is recognised separately as employee related expenses.

5. Key Management Personnel (KMP)

The following details for KMP reflect those positions that had authority and responsibility for planning, directing and controlling the activities of the Office during 2023-24 and 2022-23. Further information about these positions can be found in the body of the Annual Report under the section relating to Executive Management.

Position	Position Responsibility
Information Commissioner	The Information Commissioner role is to deliver an independent, timely and fair review of decisions made under the <i>Right to Information Act 2009</i> and <i>Information Privacy Act 2009</i> ; an independent timely and fair privacy complaint mediation service; improve agencies' practices to right to information and information privacy; promote greater awareness of right to information and information privacy in the community and within Government; and assist agencies to achieve compliance with the privacy principles.
Right to Information (RTI) Commissioner	The RTI Commissioner's role is that of a deputy to the Information Commissioner, with particular responsibility for matters relating to the Information Commissioner's functions under the <i>Right to Information Act 2009</i> .

Office of the Information Commissioner
Notes to the Financial Statements
for the year ended 30 June 2024

5. Key Management Personnel (KMP) (cont'd)

Position	Position Responsibility
Privacy Commissioner	The Privacy Commissioner's role is that of a deputy to the Information Commissioner, with particular responsibility for matters relating to the Information Commissioner's functions under the <i>Information Privacy Act 2009</i> .
Director, Engagement and Corporate Services (up to and including 27 August 2023) Chief Operating Officer (From 28 August 2023)	The Director, Engagement and Corporate Services/Chief Operating Officer implements and monitors systems and processes to support organisational objectives and raise awareness of information access and privacy rights, including supporting the Information Commissioner in the design and implementation of strategic and governance priorities for the Office. Financial, Human Resources, Information and Assistance and Training and Stakeholder Relations delegations as determined by the Information Commissioner.
Director, Audit and Evaluation	The Director, Audit and Evaluation is a member of the Executive Leadership Team and has particular responsibility for monitoring, auditing and reporting on agencies' compliance with the <i>Right to Information Act</i> and <i>Information Privacy Act</i> .

KMP Remuneration Policies

The remuneration and terms of employment for statutory office holders in key executive management positions are set by Governor in Council and are equivalent to those set by the Queensland Public Sector Commission.

Remuneration policy for the Office's key management personnel in non-statutory office holder positions is set by the Queensland Public Sector Commission following repeal of legislation on 1 March 2023, as provided for under the *Public Sector Act 2022*.

Remuneration expenses for KMP comprise the following components:

Short-term employee expenses, including:

- salaries, allowances and leave entitlements earned and expensed for the entire year, or for that part of the year during which the employee occupied a KMP position; and
- non-monetary benefits - consisting of provision of car parking together with fringe benefits tax applicable to the benefit.

Long-term employee expenses include amounts expensed in respect of long service leave entitlements earned.

Post-employment expenses include amounts expensed in respect of employer superannuation obligations.

Termination benefits include payments in lieu of notice on termination and other lump sum separation entitlements (excluding annual and long service leave entitlements) payable on termination of employment or acceptance of an offer of termination of employment.

Performance Payments

OIC does not pay any performance payments or bonuses.

Office of the Information Commissioner

Notes to the Financial Statements

for the year ended 30 June 2024

5. Key Management Personnel (KMP)

(cont'd) Remuneration Expenses

The following disclosures focus on the expenses incurred by the Office attributable to KMP during the respective reporting periods. The amounts disclosed are determined on the same basis as expenses recognised in the Statement of Comprehensive Income.

2023-2024

Position	Short Term Employee Expenses		Long Term Employee Expenses	Post-employment Benefits	Termination Benefits	Total Expenses
	Monetary Expenses \$'000	Non-Monetary Benefits \$'000	\$'000	\$'000	\$'000	\$'000
Information Commissioner 1 (01 Jul 2023 - 13 Sep 2023)	46	4	1	12	10	73
Information Commissioner (Acting 1) (14 Sep 2023 - 28 Mar 2024)	155	3	4	20	-	182
Information Commissioner 2 (From 03 Apr 2024)	95	-	2	11	-	108
Chief Operating Officer (Acting 1) (28 Aug 2023 - 10 Nov 2023)	44	-	1	6	-	51
Chief Operating Officer (From 13 Nov 2023)	125	3	4	16	-	148
RTI Commissioner (Acting 1)* (14 Sep 2023 - 28 Mar 2024)	92	-	2	14	-	108
RTI Commissioner (Acting 2)* (25 Sep 2023 - 20 Feb 2024)	74	-	2	10	-	86
RTI Commissioner** (01 Jul 2023 - 13 Sep 2023) & (From 08 Apr 2024)	99	4	2	13	-	118
Privacy Commissioner	214	9	5	30	-	258
Director, Audit and Evaluation*** (From 13 Nov 2023)	85	-	2	12	-	99
Total Remuneration	1,029	23	25	144	10	1,231

* Job sharing

** Acting Information Commissioner from 14 Sep 2023 to 28 Mar 2024

*** New KMP from 13 Nov 2023

2022-2023

Position	Short Term Employee Expenses		Long Term Employee Expenses	Post-employment Benefits	Termination Benefits	Total Expenses
	Monetary Expenses \$'000	Non-Monetary Benefits \$'000	\$'000	\$'000	\$'000	\$'000
Information Commissioner	224	9	6	27	-	266
RTI Commissioner (16 Jan 2023 - 30 Jun 2023)	105	2	3	11	-	121
RTI Commissioner (Acting 1)** (01 Jul 2022 - 13 Jan 2023)	57	4	1	7	-	69
RTI Commissioner (Acting 2)** (01 Jul 2022 - 05 Jan 2023)	54	3	2	6	-	65
Privacy Commissioner*	197	9	5	21	-	232
Director, Engagement & Corporate Services 1 (30 Jan 2023 - 21 Apr 2023)	43	-	1	5	-	49
Director, Engagement & Corporate Services (Acting 1) (15 Aug 2022 - 30 Jan 2023)***	75	-	2	9	-	86
Director, Engagement & Corporate Services (Acting 2) (From 03 May 2023)	23	-	-	3	-	26
Total Remuneration	778	27	20	89	-	914

* Acting Information Commissioner in various periods

** Job sharing

*** Vacant 1 Jul 2022 - 14 Aug 2022

Office of the Information Commissioner

Notes to the Financial Statements

for the year ended 30 June 2024

6. Related Party Transactions

Transactions with other Queensland Government-controlled entities

The Office received Grant Funding from the Department of Justice and Attorney-General (\$11,397K).

The Office received corporate services from the Corporate Administration Agency (\$158K) and IT support services from CITEC (\$8K). (Refer Note 7).

The Office has an agreement with Department of Housing, Local Government, Planning and Public Works for the provision of office accommodation (\$342K). (Refer Note 7).

The Office received access to legal research through the Department of Justice and the Attorney-General (\$1K). (Refer Note 7).

All transactions with other Queensland Government-controlled entities were at arms length.

	2024 \$000	2023 \$000
7. Supplies and Services		
Contractor and consultants	798	176
Corporate service charges	564	371
Office accommodation	342	435
Minor equipment and office maintenance	94	166
Communications and utilities	41	34
Computer related charges	429	259
Operating, administration and other costs	107	99
Total	2,375	1,540

Accounting policy – Distinction between grants and procurement

For a transaction to be classified as supplies and services, the value of goods or services received by the Office must be of approximately equal value to the value of the consideration exchanged for those goods or services. Where this is not the substance of the arrangement, the transaction is classified as a grant.

Contractor and Consultants

We invested funds into Contractors and Consultants to address critical technology and information management requirements, including the procurement process for a new CRM which can support the Mandatory Data Breach Notification Scheme recommended by the Coaldrake report, which the Queensland Government agreed to implement. Datacom were contracted for our project to adopt SharePoint as our eDRMS. Prominence Consulting were engaged to provide advice in relation to workforce planning and PM Solutions undertook an assurance review of our CRM project.

Corporate service charges

Corporate service charges includes services provided by Queensland Government-controlled entities (Corporate Administration Agency and CITEC) as well as Corporate service charges incurred through IT support service provider Datacom.

Office accommodation

Payments for non-specialised commercial office accommodation under the Queensland Government Accommodation Office (QGAO) framework arise from non-lease arrangements with the Department of Housing, Local Government, Planning and Public Works, who has substantive substitution rights over the assets used within this scheme. Payments are expensed as incurred and categorised within office accommodation line item.

Office of the Information Commissioner**Notes to the Financial Statements****for the year ended 30 June 2024**

	2024	2023
	\$000	\$000
8. Other Expenses		
Queensland Audit Office - external audit fees for the audit of the financial statements ⁽¹⁾	25	20
Insurance - QGIF	4	4
Total	29	24

(1) Total audit fees quoted by the Queensland Audit Office relating to the 2023-24 financial statements are \$25,000 (2023: \$20,000).

There are no non-audit services included in this amount.

9. Cash and Cash Equivalents

Cash at bank	4,260	2,602
Total	4,260	2,602

Accounting Policy - Cash

For the purpose of the Statement of Financial Position and the Statement of Cash Flows, cash assets include all cash and cheques receipted but not banked at 30 June as well as deposits at call with financial institutions.

10. Payables

Trade creditors	36	42
Corporate card	14	20
Payroll tax	47	33
Accrued supplies and services	133	162
Total	230	257

Accounting Policy - Payables

Accrued supplies and services are recognised upon receipt of the goods or services ordered and are measured at the nominal amount i.e. agreed purchase/contract price, gross of applicable trade and other discounts. Amounts owing are unsecured.

11. Accrued Employee Benefits*Current*

Salary and wages outstanding	-	112
Long service leave levy payable	45	33
Annual leave levy payable	183	140
Other	4	3
Total	232	288

Accounting Policy - Accrued Employee Benefits

No provision for annual leave or long service leave is recognised in the Office's financial statements as the liability is held on a whole-of-government basis and reported in those financial statements pursuant to AASB 1049 *Whole of Government and General Government Sector Financial Reporting*.

Office of the Information Commissioner
Notes to the Financial Statements
for the year ended 30 June 2024

12. Commitments

There are no legal or any other commitments that are known to the Office as at 30 June 2024.

13. Contingencies

There are no legal or any other contingencies that are known to the Office as at 30 June 2024.

14. Financial Risk Disclosures

Financial Instrument

Categories

Financial assets and financial liabilities are recognised in the Statement of Financial Position when the Office becomes party to the contractual provisions of the financial instrument. The carrying amounts of receivables and payables represent the value of the original transactions. The Office has the following categories of financial assets and financial liabilities:

Category	Note	2024 \$'000	2023 \$'000
Financial assets			
Cash and cash equivalents	9.	4,260	2,602
Financial assets at amortised cost - comprising:			
Receivables		170	240
		4,430	2,842
Total financial assets			
Financial liabilities			
Financial liabilities at amortised cost - comprising:			
Payables	10.	230	257
		230	257
Total financial liabilities at amortised cost			

No financial assets and financial liabilities have been offset and presented net in the Statement of Financial Position.

Office of the Information Commissioner

Notes to the Financial Statements

for the year ended 30 June 2024

14. Financial Risk Disclosures (cont'd)

Financial Risk Management

(a) Risk Exposure

The Office's activities expose it to a variety of financial risks as set out in the following table:

Risk Exposure	Definition	Exposure
Credit Risk	Credit risk exposure refers to the situation where the Office may incur financial loss as a result of another party to a financial instrument failing to disclose their obligation.	The Office is exposed to credit risk in respect of its receivables.
Liquidity Risk	Liquidity risk refers to the situation where the Office may encounter difficulty in meeting obligations associated with financial liabilities that are settled by delivering cash or another financial asset.	The Office is exposed to liquidity risk in respect of its payables.
Market Risk	The risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risk comprises three types of risk: currency risk, interest rate risk and other price risk. <i>Interest rate risk</i> is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates.	The Office does not trade in foreign currency and is not materially exposed to commodity price changes or other markets. The Office is exposed to interest rate risk through its cash deposited in interest bearing accounts.

(b) Risk Measurement and Management Strategies

The Office measures risk exposure using a variety of methods as follows:

Risk Exposure	Measurement	Risk Management Strategies
Credit Risk	Ageing analysis, earnings at risk	The Office manages credit risk through the use of a credit management strategy. Exposure to credit risk is monitored on an on-going basis.
Liquidity Risk	Sensitivity Analysis	The Office manages exposure to liquidity risk by ensuring sufficient funds are available to meet employee and supplier obligations at all times. This is achieved by ensuring minimum levels of cash are held within the bank account to match the expected duration of the various employee and supplier liabilities.
Market Risk	Interest rate sensitivity analysis	The Office does not undertake any hedging in relation to interest rate risk.

The Office's activities may expose it to a variety of financial risks. However, any risk is considered to have a minimal effect on the Office.

Office of the Information Commissioner

Notes to the Financial Statements

for the year ended 30 June 2024

15. Future Impact of Accounting Standards Not Yet Effective

All other Australian accounting standards and interpretations with future effective dates are either not applicable to the Office's activities or have no material impact on the Office.

16. First Year Application of New Accounting Standards or Change in Accounting Policy Accounting standards applied for the first time

No new accounting standards or interpretations that apply to the Office for the first time in 2023-24 had any material impact on the financial statements.

Accounting Standards Early Adopted

No Australian Accounting Standards have been early adopted for 2023-24.

17. Events after the Balance Date

There were no significant events occurring after the balance date.

18. Taxation

The Office is a State body as defined under the *Income Tax Assessment Act 1936* (Cth) and is exempt from Commonwealth taxation with the exception of Fringe Benefits Tax (FBT) and Goods and Services Tax (GST). FBT and GST are the only taxes accounted for by the Office. GST credits receivable from, and GST payable to the Australian Taxation Office, are recognised in the Statement of Financial Position.

19. Climate Risk Disclosure

The State of Queensland has published a wide range of information and resources on climate related risks, strategies and actions accessible via <https://www.energyandclimate.qld.gov.au/climate>.

The Queensland Sustainability Report (QSR) outlines how the Queensland Government measures, monitors and manages sustainability risks and opportunities, including governance structures supporting policy oversight and implementation. To demonstrate progress, the QSR also provides time series data on key sustainability policy responses. The QSR is available via Queensland Treasury's website at <https://www.treasury.qld.gov.au/programs-andpolicies/queensland-sustainability-report>.

No adjustments to the carrying value of assets held by the foundation were recognised during the financial year as a result of climate-related risks impacting current accounting estimates and judgements. No other transactions have been recognised during the financial year specifically due to climate-related risks impacting the foundation.

Office of the Information Commissioner

Notes to the Financial Statements

for the year ended 30 June 2024

20. Budgetary Reporting Disclosures

This section contains explanations of major variances between the Office's actual 2023-2024 financial results and the original budget presented to Parliament.

20.1 Explanation of Major Variances - Statement of Comprehensive Income

Grants: Actual grant are 32.9% (or \$2,821k) higher than the budgeted \$8,576k. This is mainly driven by the \$2,700k additional grant received for the Information Privacy and Other Legislation Amendment Act (IPOLA Act) reform project. The IPOLA Act was passed by Parliament on 29 November 2023.

Interest revenue: Actual interest is 142.3% (or \$111k) higher than the budgeted \$78k. This is due to higher cash received and higher interest rate than budgeted.

Employee Expenses: Actual employee costs are 6.7% (or \$472k) higher than the budgeted \$6,994k. This is due to additional resources employed to carry out the IPOLA legislative reform project.

Supplies and services: Actual supplies and services is 45.4% (or \$742k) higher than the budgeted \$1,633k. This is mainly driven by the \$567k higher contractors and consultancies costs than the budgeted \$225k, and the \$143k higher corporate services costs than the budgeted \$263k.

20.2 Explanation of Major Variances - Statement of Financial Position

Cash: Actual cash is 96.7% (or \$2,094k) higher than the budgeted \$2,166k. This is mainly driven by the \$2,700k additional grant received for the Information Privacy and Other Legislation Amendment Act (IPOLA Act) reform project. The IPOLA Act was passed by Parliament on 29 November 2023.

Prepayments: Actual prepayments are 100.4% (or \$55k) higher than the budgeted \$55k. This is due to the early charge for IT licence and pre-paid pack services.

Payables: Actual payables are 10.0% (or \$21k) higher than the budgeted \$209k. This is due to the increase in payroll tax, increase in volume on the supplies and services predominantly driven by the IPOLA legislative reform project.

Accrued Employee benefits: Actual accrued employee benefits are 35.7% (or \$61k) higher than the budgeted \$171k. This is mainly driven by the long service leave not taken, and annual leave levy payable on the increased number of staff due to IPOLA legislative reform project.

Accumulated Surplus: Actual accumulated surplus is 103.3% (or \$2,080k) higher than the budgeted \$2,014k. This is mainly driven by the lower spending (delayed in the employee hires by \$340k, supplies and services acquisition by \$1,113k, and non-operating items by \$273k) on the additional \$2,700k grant received for the IPOLA legislative reform project.

20.3 Explanation of Major Variances - Statement of Cash Flows

Grants: Actual grant are 32.9% (or \$2,821k) higher than the budgeted \$8,576k. This is mainly driven by the \$2,700k additional grant received for the Information Privacy and Other Legislation Amendment Act (IPOLA Act) reform project. The IPOLA Act was passed by Parliament on 29 November 2023.

Other revenue: Key driver is the actual interest revenue received, which is 142.3% (or \$111k) higher than the budgeted \$78k. This is due to higher cash received for the IPOLA legislative reform project, coupled with the delayed spending on the project, and higher interest rate than budgeted.

Employee Expenses: Actual expenses are 6.6% (or \$461k) higher than the budgeted \$6,994k. This is due to additional resources employed to carry out the IPOLA legislative reform project.

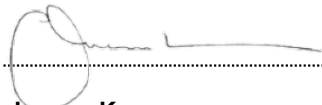
Supplies and services: Actual supplies and services costs are 48.4% (or \$790k) higher than the budgeted \$1,633k. This is due to CRM, contractors, consultants, and additional IT equipment required as part of the IPOLA legislative reform project.

Office of the Information Commissioner
Management Certificate for the year ended 30 June 2024

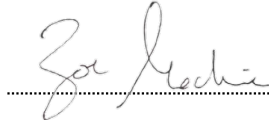
These general purpose financial statements have been prepared pursuant to section 62(1) of the *Financial Accountability Act 2009* (the Act), section 39 of the *Financial and Performance Management Standard 2019* and other prescribed requirements. In accordance with section 62(1)(b) of the Act we certify that in our opinion:

- (a) the prescribed requirements for establishing and keeping the accounts have been complied with in all material respects;
- (b) the financial statements have been drawn up to present a true and fair view, in accordance with prescribed accounting standards, of the transactions of the Office of the Information Commissioner for the financial year ended 30 June 2024 and of the financial position of the entity at the end of that year; and

We acknowledge responsibility under section 7 and section 11 of the *Financial Performance Management Standard 2019* for the establishment and maintenance, in all material respects, of an appropriate and effective system of internal controls and risk management processes with respect to financial reporting throughout the reporting period.



Joanne Kummrow
Information Commissioner



Zoe Mochrie
Chief Operating Officer

Date: 13 August 2024

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Date: 13 August 2024

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INDEPENDENT AUDITOR'S REPORT

To the Commissioner of the Office of the Information Commissioner

Report on the audit of the financial report

Opinion

I have audited the accompanying financial report of the Office of the Information Commissioner.

The financial report comprises the statement of financial position as at 30 June 2024, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes to the financial statements including material accounting policy information, and the management certificate.

In my opinion, the financial report:

- a) gives a true and fair view of the entity's financial position as at 30 June 2024, and its financial performance and cash flows for the year then ended; and
- b) complies with the *Financial Accountability Act 2009*, the Financial and Performance Management Standard 2019 and Australian Accounting Standards.

Basis for opinion

I conducted my audit in accordance with the *Auditor-General Auditing Standards*, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report.

I am independent of the entity in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including independence standards)* (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code and the *Auditor-General Auditing Standards*.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Other information

Those charged with governance are responsible for the other information.

The other information comprises the information included in the entity's annual report for the year ended 30 June 2024, but does not include the financial report and our auditor's report thereon.

My opinion on the financial report does not cover the other information and accordingly I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial report, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

When we read the annual report, if we conclude that there is a material misstatement therein, we are required to communicate the matter to the Information Commissioner.

Responsibilities of the entity for the financial report

The Information Commissioner is responsible for the preparation of the financial report that gives a true and fair view in accordance with the *Financial Accountability Act 2009*, the Financial and Performance Management Standard 2019 and Australian Accounting Standards, and for such internal control as the Information Commissioner determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

The Information Commissioner is also responsible for assessing the entity's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless it is intended to abolish the entity or to otherwise cease operations.

Auditor's responsibilities for the audit of the financial report

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

A further description of my responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at:

https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf

This description forms part of my auditor's report.

Statement

In accordance with s.40 of the *Auditor-General Act 2009*, for the year ended 30 June 2024:

- a) I received all the information and explanations I required.
- b) I consider that, the prescribed requirements in relation to the establishment and keeping of accounts were complied with in all material respects.

Prescribed requirements scope

The prescribed requirements for the establishment and keeping of accounts are contained in the *Financial Accountability Act 2009*, any other Act and the Financial and Performance Management Standard 2019. The applicable requirements include those for keeping financial records that correctly record and explain the entity's transactions and account balances to enable the preparation of a true and fair financial report.



Melissa Fletcher
as delegate of the Auditor-General

15 August 2024
Queensland Audit Office
Brisbane

APPENDICES

1. Category and number of external review applications
2. Profile of applicants making external review applications
3. Applications received by agency profile
4. Outcome of reviews
5. Outcomes of external review decisions
6. RTI regulation reporting requirements not captured elsewhere within the annual report
7. 2023-24 Applications for external review of decisions by Ministers and agencies
8. IP regulation reporting requirements not captured elsewhere within the annual report
9. 2023-24 Privacy complaints received by agency profile
10. 2023-24 Privacy complaints received about Ministers and agencies
11. Compliance checklist.

1. Category and number of external review applications

	2019-20	2020-21	2021-22	2022-23	2023-24		
					RTI	IP	Total
Refusal of access	336	309	283	267	155	206	361
Deemed refusal of access	122	146	136	150	43	36	79
Agency refusal to deal	80	82	58	62	44	56	100
Sufficiency of search	119	76	76	96	42	53	95
Refusal of amendment	9	23	7	5	0	6	6
No jurisdiction	37	24	19	31	8	17	25
Third party objection to release	79	17	24	14	23	0	23
Deemed refusal of amendment	0	5	1	1	0	2	2
Fees or charges	5	3	2	2	5	0	5
Total applications	787	685	606	628	320	376	696

2. Profile of applicants making external review applications

	2019-20	2020-21	2021-22	2022-23	2023-24
Agencies	16	7	2	1	6
Companies	75	42	53	40	43
Elected representatives	106	9	13	3	11
Individuals	540	588	500	558	597
Journalists	35	20	22	17	31
Lobby and community groups	15	19	16	9	8
Total	787	685	606	628	696

3. Applications received by agency profile

	2019-20	2020-21	2021-22	2022-23	2023-24
Boards/commissions/GOCs/other bodies	63	60	67	57	78
Departments	508	389	361	406	404
Hospital and health services	62	73	62	62	90
Local governments	116	130	92	76	97
Ministers	18	9	15	9	22
Universities	20	24	9	18	5
Total	787	685	606	628	696

4. Outcome of reviews

Outcome of review	2019-20	2020-21	2021-22	2022-23	2023-24
Affirming agency decision	49	35	35	36	36
Varying agency decision	35	29	30	16	23
Setting aside agency decision	8	9	8	5	9
Decision under section 110 of RTI Act or section 123 of IP Act	92	73	73	57	98
Review settled informally	541*	613	491	476**	558
Decision application is out of jurisdiction - section 52, section 101 IP Act; section 32, section 88 of the RTI Act	3	15	11	4	6
Decision not to deal with application - section 107 of IP Act, section 94 of the RTI Act	4	14	37	9	10
Decision to allow agency further time to deal with application - section 106 of IP Act, section 93 of RTI Act	51	38	38	40	22
Determination of review not required	58	67	86	53	38
Total	691*	753	650	586**	664

* On 30 June 2020, there were 542 reviews settled informally, with a total of 692. Since 30 June 2020, 1 file was reopened, reducing the category to 541 files, and the total to 691.

** On 30 June 2023, there were 479 reviews settled informally, with a total of 589. Since 30 June 2023, 3 files were reopened, reducing the category to 476 files, and the total to 586

5. Outcomes of external review decisions

Review Number	Agency	Date of decision	Outcome	Outcome Type	Section decision
317213	Department of Energy and Public Works	18/07/2023	decision s.110 - affirming agency response - RTI	access refused	RTI Act - s.47(3)(e)
316903	Queensland Health	3/08/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(e)
317138	West Moreton Hospital and Health Service	15/08/2023	decision s.110 - affirming agency response - RTI	access refused	RTI Act - s.47(3)(b)
316940	Queensland Corrective Services	22/08/2023	decision s.110 - set aside agency response - RTI	access refused	RTI Act - s.47(3)(e)
316660	Queensland Building and Construction Commission	23/08/2023	decision s.123 - varying agency response - IPA	access refused	IP Act - s.88, RTI Act - s.47(3)(a), RTI Act - s.47(3)(b), RTI Act - s.47(3)(e)
316732	Queensland Police Service	28/08/2023	decision s.110 - varying agency response - RTI	access refused	RTI Act - s.47(3)(b), RTI Act - s.47(3)(e)
316744	Office of the Director of Public Prosecutions	28/08/2023	decision s.110 - affirming agency response - RTI	access refused	RTI Act - s.47(3)(a), RTI Act - s.47(3)(b), RTI Act - s.47(3)(e)
316926	Queensland Corrective Services	31/08/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(a), RTI Act - s.47(3)(b)
316975	Queensland Police Service	31/08/2023	decision s.110 - affirming agency response - RTI	access refused	RTI Act - s.47(3)(e)
316784	Queensland Police Service	5/09/2023	decision s.110 - set aside agency response - RTI	access refused	RTI Act - s.17, RTI Act - s.32, RTI Act - s.40, RTI Act - s.47(3)(b), RTI Act - s.47(3)(e)
317074	Queensland Corrective Services	5/09/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(b)

317203	Department of Child Safety, Seniors and Disability Services	5/09/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(a)
317315	Department of Child Safety, Seniors and Disability Services	5/09/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(a)
317316	Department of Child Safety, Seniors and Disability Services	5/09/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(a)
317317	Department of Child Safety, Seniors and Disability Services	5/09/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(a)
317407	Queensland Police Service	5/09/2023	decision s.123 - set aside agency response - IPA	application not compliant	IP Act - s.53
317163	Queensland Corrective Services	7/09/2023	decision s.123 - varying agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(b)
316992	Office of the Director of Public Prosecutions	11/09/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(b)
316974	Office of the Director of Public Prosecutions	12/09/2023	decision s.123 - varying agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(e)
317104	Department of Energy and Public Works	14/09/2023	decision s.110 - affirming agency response - RTI	access refused	RTI Act - s.47(3)(b)
316984	Department of Education	18/09/2023	decision s.123 - set aside agency response - IPA	access refused	IP Act - s.47, IP Act - s.49, IP Act - s.52
316959	Queensland Police Service	26/09/2023	decision s.110 - set aside agency response - RTI	access refused	RTI Act - s.47(3)(b), RTI Act - s.47(3)(e)
317035	Department of Justice and Attorney-General	26/09/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1)
317150	Queensland Police Service	26/09/2023	decision s.110 - varying agency response - RTI	access refused	RTI Act - s.47(3)(b), RTI Act - s.47(3)(e)
316946	Sunshine Coast Hospital and Health Service	5/10/2023	decision s.123 - varying agency response - IPA	access refused	IP Act - s.67(1)

317218	Department of Child Safety, Seniors and Disability Services	19/10/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.48, IP Act - s.67(1)
317018	Office of the Director of Public Prosecutions	30/10/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(b)
316697	Cairns and Hinterland Hospital and Health Service	6/11/2023	decision s.123 - varying agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(b), RTI Act - s.47(3)(e)
317264	Lockyer Valley Regional Council	8/11/2023	decision s.123 - varying agency response - IPA	access refused - part	IP Act - s.66, IP Act - s.83(4)
316931	Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and Arts	13/11/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), IP Act - s.88, RTI Act - s.47(3)(b)
317134	Department of Child Safety, Seniors and Disability Services	15/11/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(c)
317135	Department of Child Safety, Seniors and Disability Services	15/11/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(c)
317020	Queensland Police Service	29/11/2023	decision s.123 - varying agency response - IPA	access refused - part	IP Act - s.67(1)
317075	Griffith University	7/12/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), IP Act - s.88, RTI Act - s.47(3)(b)
317149	Griffith University	7/12/2023	decision s.123 - varying agency response - IPA	access refused	IP Act - s.67(1), IP Act - s.88, RTI Act - s.47(3)(b)
317372	Cairns and Hinterland Hospital and Health Service	7/12/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1)
317306	Queensland Police Service	11/12/2023	decision s.110 - varying agency response - RTI	neither confirm nor deny	RTI Act - s.55(2)
317511	Queensland Police Service	18/12/2023	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(e)

317448	Hon Yvette D'Ath, Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence	11/01/2024	decision s.110 - affirming agency response - RTI	access refused	RTI Act - s.47(3)(e)
317605	Queensland Police Service	24/01/2024	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(b)
317216	Department of State Development and Infrastructure	12/02/2024	decision s.110 - varying agency response - RTI	access refused	RTI Act - s.47(3)(a), RTI Act - s.47(3)(b), RTI Act - s.47(3)(f)
317449	Queensland Police Service	14/02/2024	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(b)
317393	Department of Education	15/02/2024	decision s.110 - varying agency response - RTI	access refused	RTI Act - s.47(3)(e)
316032	Metro South Hospital and Health Service	16/02/2024	decision s.123 - set aside agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(e)
317326	Fraser Coast Regional Council	19/02/2024	decision s.110 - varying agency response - RTI	access refused - part	RTI Act - s.47(3)(b), RTI Act - s.47(3)(e)
317519	Queensland Police Service	20/02/2024	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(e)
317481	Department of Housing, Local Government, Planning and Public Works	22/02/2024	decision s.123 - affirming agency response - IPA	application not compliant	IP Act - s.53
317005	Department of Resources	27/02/2024	decision s.110 - affirming agency response - RTI	access granted - full	RTI Act - s.47(3)(b)
317656	Queensland Police Service	18/03/2024	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.52, RTI Act - s.47(3)(e)
317611	Crime and Corruption Commission	20/03/2024	decision s.110 - affirming agency response - RTI	refusal to deal	RTI Act - s.40
316556	Queensland Curriculum and Assessment Authority	22/03/2024	decision s.110 - varying agency response - RTI	access refused - part	RTI Act - s.47(3)(b)
317034	Brisbane City Council	17/04/2024	decision s.110 - varying agency response - RTI	access refused	RTI Act - s.47(3)(e)

317743	Queensland Police Service	17/04/2024	decision s.123 - affirming agency response - IPA	refusal to deal	IP Act - s.60
317659	Queensland Police Service	18/04/2024	decision s.110 - set aside agency response - RTI	access refused	RTI Act - s.47(3)(b)
317211	Queensland Treasury	1/05/2024	decision s.110 - set aside agency response - RTI	access refused	RTI Act - s.47(3)(a)
317702	Sunshine Coast Hospital and Health Service	2/05/2024	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), RTI Act - s.47(3)(d)
317706	Department of the Premier and Cabinet	15/05/2024	decision s.110 - set aside agency response - RTI	refusal to deal	RTI Act - s.41
317565	Hon Yvette D'Ath, Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence	21/05/2024	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1)
317273	Queensland Police Service	22/05/2024	decision s.123 - varying agency response - IPA	access refused - part	IP Act - s.67(1), RTI Act - s.47(3)(a)
316359	Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and Arts	27/05/2024	decision s.110 - varying agency response - RTI	access refused - part	RTI Act - s.47(3)(a), RTI Act - s.47(3)(b), RTI Act - s.68(4)
317613	Brisbane City Council	30/05/2024	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), IP Act - s.88, RTI Act - s.47(3)(a), RTI Act - s.47(3)(b)
317792	Department of Education	30/05/2024	decision s.123 - affirming agency response - IPA	refusal to deal	IP Act - s.62
317131	Metro South Hospital and Health Service	4/06/2024	decision s.123 - varying agency response - IPA	access refused	IP Act - s.67(1)
317357	Department of State Development and Infrastructure	5/06/2024	decision s.110 - varying agency response - RTI	access refused	RTI Act - s.47(3)(e)

317467	Brisbane City Council	13/06/2024	decision s.123 - affirming agency response - IPA	access refused	IP Act - s.67(1), IP Act - s.88, RTI Act - s.47(3)(a), RTI Act - s.47(3)(b)
316775	Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and Arts	17/06/2024	decision s.110 - varying agency response - RTI	access refused - part	RTI Act - s.47(3)(a), RTI Act - s.47(3)(b)
316850	Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and Arts	20/06/2024	decision s.110 - varying agency response - RTI	access granted - full	RTI Act - s.47(3)(a), RTI Act - s.47(3)(b)
317472	Cairns Regional Council	25/06/2024	decision s.110 - varying agency response - RTI	access refused	RTI Act - s.47(3)(b), RTI Act - s.47(3)(e), RTI Act - s.73

6. RTI regulation reporting requirements not captured elsewhere within the annual report

RTI requirements	
Right to Information Regulation part 4 section 7	Outcome
(d) the number of times and the way in which the commissioner has used the entitlement to full and free access to documents under section 100 of the RTI Act*	0
(f) the number of applications for extension of the 10 year period received by the commissioner under schedule 4, part 4, item 1 of the RTI Act and the commissioner's decision for each application	0

* Section 100 of the RTI Act is read in conjunction with section 103 of that Act.

7. 2023-24 Applications for external review of decisions by Ministers and agencies

Boards, commissions, GOCs and other bodies	
Crime and Corruption Commission	2
Energex	1
Energy Queensland Ltd	1
Ergon Energy	1
Legal Aid Queensland	2
Legal Practitioners Admissions Board	1
Legal Services Commission	2
Magistrates Court	1
National Heavy Vehicle Regulator	2
National Injury Insurance Agency, Queensland	1
Office of the Director of Public Prosecutions	7
Office of the Health Ombudsman	8
Parole Board Queensland	2
Public Trustee Queensland	1
Queensland Building and Construction Commission	19
Queensland Civil and Administrative Tribunal	1
Queensland Courts	1
Queensland Ombudsman	6
Queensland Racing Integrity Commission	3
Queensland Rail	3
Queensland Treasury Corporation	1
Queensland Urban Utilities	3
Resources Safety and Health Queensland	3
State Library of Queensland	1
TAFE Queensland	3
The Public Trustee of Queensland	1
WorkCover Queensland	1
Sub-total	78
Departments*	
Department of Agriculture and Fisheries	3
Department of Child Safety, Seniors and Disability Services	29
Department of Education	27
Department of Employment, Small Business and Training	1
Department of Energy and Climate	3
Department of Energy and Public Works	1
Department of Environment, Science and Innovation	12
Department of Housing, Local Government, Planning and Public Works	14
Department of Justice and Attorney-General	20
Department of Resources	8
Department of State Development and Infrastructure	28
Department of the Premier and Cabinet	6
Department of Transport and Main Roads	17
Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and Arts	2
Department of Youth Justice	2

Queensland Corrective Services	28
Queensland Fire and Emergency Services	11
Queensland Health	7
Queensland Police Service	180
Queensland Treasury	5
Sub-total	404
Hospital and health services	
Cairns and Hinterland Hospital and Health Service	17
Children's Health Queensland Hospital and Health Service	3
Darling Downs Hospital and Health Service	5
Gold Coast Hospital and Health Service	10
Mackay Hospital and Health Services	4
Metro North Hospital and Health Service	18
Metro South Hospital and Health Service	12
North West Hospital and Health Service	1
South West Hospital and Health Service	1
Sunshine Coast Hospital and Health Service	3
Townsville Hospital and Health Service	6
West Moreton Hospital and Health Service	4
Wide Bay Hospital and Health Service	6
Sub-total	90
Local governments	
Brisbane City Council	18
Bundaberg Regional Council	6
Burdekin Shire Council	1
Cairns Regional Council	7
Cassowary Coast Regional Council	1
City of Moreton Bay	5
Charters Towers Regional Council	1
Council of the City of Gold Coast	6
Fraser Coast Regional Council	4
Gladstone Regional Council	2
Goondiwindi Regional Council	2
Ipswich City Council	1
Lockyer Valley Regional Council	1
Logan City Council	11
Mackay Regional Council	2
Mareeba Shire Council	2
North Burnett Regional Council	1
Redland City Council	7
Rockhampton Regional Council	4
Scenic Rim Regional Council	3
Somerset Regional Council	2
Southern Downs Regional Council	1
Sunshine Coast Regional Council	3
Toowoomba Regional Council	4
Townsville City Council	1
Whitsunday Regional Council	1
Sub-total	97

Ministers	
Hon Anastacia Palaszczuk MP, Premier and Minister for the Olympics and Paralympics	3
Hon Bart Mellish MP, Minister for Transport and Main Roads and Minister for Digital Services	5
Hon Cameron Dick, Deputy Premier, Treasurer and Minister for Trade and Investment	3
Hon Grace Grace MP, Minister for Education & Minister for Industrial Relations	1
Hon Grace Grace MP, Minister for State Development and Infrastructure and Minister for Industrial Relations	1
Hon Mark Ryan MP, Minister for Police and Community Safety	2
Hon Meaghan Scanlon, Minister of Housing Local Government and Planning and Minister for Public Works	1
Hon Nikki Boyd MP, Minister for Fire and Disaster Recovery and Minister for Corrective Services	1
Hon Scott Stewart MP, Minister for Resources and Critical Minerals	1
Hon Steven Miles MP, Premier	1
Hon Yvette D'Ath, Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence	3
Sub-total	22
Universities	
Griffith University	5
Sub-total	5
TOTAL	696

* During 2020–2021 a machinery-of-government (MOG) change on 12 November 2020 resulted in several changes to departments. The name used in this table is the name of the entity at the time the review commenced.

8. IP regulation reporting requirements not captured elsewhere within the annual report

IP requirements	
Information Privacy Regulation part 4 section 5(1)	
(c) the number of times and the way in which the commissioner has used the entitlement to full and free access to documents under section 113 of the IP Act*	1
(e) approval of waivers or modifications of the privacy principles under chapter 4, part 5 of the IP Act	0
(f) compliance notices given under chapter 4, part 6 of the IP Act	0
Information Privacy Regulation part 4 section 5(2)	
(a) the number of complaints the commissioner has declined to deal with or has declined to continue dealing with	69
(b) the grounds for declining to deal with the complaints under paragraph (a)	
iii. No jurisdiction – section 164 not triggered	4
iv. Section 168(1)(a) – not an individual's personal information	2
v. Section 168(1)(b) - requirements under section 166(3) not met	29
vi. Section 168(1)(c) - frivolous, lacking in substance, misconceived	27
vii. Section 168(1)(d) - more appropriate under another Act	1
viii. Section 168(1)(e) - provision of more time to entity	3
ix. Section 168(1)(f) - more than 12 months since complaint aware of breach	3
(c) the categories of relevant entities to which the 110 finalised complaints relate	
i. Boards/commissions/other bodies	17
ii. Departments	64
iii. Hospital and health services	10
iv. Local governments	17
v. Universities	1
vi. Outside jurisdiction	1
(d) the provisions of the privacy principles to which the complaints relate	
i. IPP 1 - lawful and fair collection	16
ii. IPP 2 - collection requested from individual	5
iii. IPP 3 - collected information is relevant and current	5
iv. IPP 4 - storage and security	21
v. IPP 5 – information concerning personal information	1
vi. IPP 6 – access	1
vii. IPP 8 - accuracy of information	6
viii. IPP 9 - use of personal information for relevant purpose	4
ix. IPP 10 - alternative use	19
x. IPP 11 - disclosure to third party	65
xi. NPP 1 – collection	1
xii. NPP 2 - use and disclosure	8
xiii. NPP 3 - information is current	2
xiv. NPP 4 - data security	6
xv. NPP 6 – access	1
xvi. NPP 7 - amendment	1
xvii. Section 33 (transfer of personal information outside Australia)	3
(e) the number of complaints referred by the commissioner to other entities under section 169 of the Act	0

* Section 113 of the IP Act is read in conjunction with section 116 of that Act.

A complaint can involve more than one privacy principle.

Note – information contained in this appendix in previous years now appears within the relevant section of this Annual Report, for example, Privacy advice and complaint mediation.

9. 2023-24 Privacy complaints received by agency profile

Agency	
Boards/commissions/other bodies	13
Departments	60
Hospital and health services	7
Bound contracted service providers	0
Local government	14
Universities	2
Ministers	0
Outside Jurisdiction	1
Total	97

10. 2023-24 Privacy complaints received about Ministers and agencies

Boards, commissions and other bodies	
Office of the Health Ombudsman	1
PA Research Foundation	1
Public Sector Commission	1
Queensland Building and Construction Commission	7
Queensland Ombudsman	1
WorkCover Queensland	2
Sub-total	13
Departments	
Department of Child Safety, Seniors and Disability Services	3
Department of Education	12
Department of Housing, Local Government Planning and Public Works	1
Department of Justice and Attorney-General	9
Department of Resources	2
Department of State Development and Infrastructure	3
Department of Transport and Main Roads	3
Queensland Corrective Services	5
Queensland Fire and Emergency Services	2
Queensland Health	1
Queensland Police Service	19
Sub-total	60
Hospital and health services	
Cairns and Hinterland Hospital and Health Service	1
Central Queensland Hospital and Health Service	2
Gold Coast Hospital and Health Service	1
Metro South Hospital and Health Service	1
Townsville Hospital and Health Service	1
Wide Bay Hospital and Health Service	1
Sub-total	7

Local governments	
Brisbane City Council	3
Cairns Regional Council	1
Fraser Coast Regional Council	1
Gladstone Regional Council	1
Gympie Regional Council	1
Ipswich City Council	1
Legal Services Commission	1
Lockyer Valley Regional Council	1
Logan City Council	1
Somerset Regional Council	1
Western Downs Regional Council	1
Whitsunday Regional Council	1
Local governments cont.	
Sub-total	14
Ministers	
Sub-total	0
Outside jurisdiction*	
Private Entity	1
Sub-total	1
Universities	
Central Queensland University	1
Griffith University	1
Sub-total	2
TOTAL	97

* Entities listed as outside jurisdiction include those not within the scope of the IP Act because they are not an agency for the purposes of that Act, or a bound contracted service provider. Other entities listed in categories of complaints received from agencies may also be determined to be entities to which the privacy principles do not apply in relation to a particular function, for example, a court's judicial functions (see IP Act, section 19 and Schedule 2, Part 2).

12. Compliance checklist

Summary of requirement	Basis for requirement	Annual report reference
Letter of compliance	<ul style="list-style-type: none"> A letter of compliance from the accountable officer or statutory body to the relevant Minister/s 	ARRs – section 7 i
Accessibility	<ul style="list-style-type: none"> Table of contents Glossary 	ARRs – section 9.1 iii 81
	<ul style="list-style-type: none"> Public availability 	ARRs – section 9.2 Inside front cover
	<ul style="list-style-type: none"> Interpreter service statement 	<i>Queensland Government Language Services Policy</i> ARRs – section 9.3 Inside front cover
	<ul style="list-style-type: none"> Copyright notice 	<i>Copyright Act 1968</i> ARRs – section 9.4 Inside front cover
	<ul style="list-style-type: none"> Information licensing 	<i>QGEA – Information Licensing</i> ARRs – section 9.5 Inside front cover
General information	<ul style="list-style-type: none"> Introductory information 	ARRs – section 10 ii
Non-financial performance	<ul style="list-style-type: none"> Government's objectives for the community and whole-of-government plans/specific initiatives 	ARRs – section 11.1 N/A
	<ul style="list-style-type: none"> Agency objectives and performance indicators 	ARRs – section 11.2 11-12
	<ul style="list-style-type: none"> Agency service areas and service standards 	ARRs – section 11.3 13-29
Financial performance	<ul style="list-style-type: none"> Summary of financial performance 	ARRs – section 12.1 39-40
Governance – management and structure	<ul style="list-style-type: none"> Organisational structure 	ARRs – section 13.1 5
	<ul style="list-style-type: none"> Executive management 	ARRs – section 13.2 6-7
	<ul style="list-style-type: none"> Government bodies (statutory bodies and other entities) 	ARRs – section 13.3 N/A
	<ul style="list-style-type: none"> Public Sector Ethics 	<i>Public Sector Ethics Act 1994</i> ARRs – section 13.4 31-34
	<ul style="list-style-type: none"> Human Rights 	<i>Human Rights Act 2019</i> ARRs – section 13.5 34-38
	<ul style="list-style-type: none"> Queensland public service values 	ARRs – section 13.6 3
Governance – risk management and accountability	<ul style="list-style-type: none"> Risk management 	ARRs – section 14.1 35-37
	<ul style="list-style-type: none"> Audit committee 	ARRs – section 14.2 35-37
	<ul style="list-style-type: none"> Internal audit 	ARRs – section 14.3 35-37
	<ul style="list-style-type: none"> External scrutiny 	ARRs – section 14.4 35-37
	<ul style="list-style-type: none"> Information systems and recordkeeping 	ARRs – section 14.5 30, 35-37
	<ul style="list-style-type: none"> Information security attestation 	ARRs – section 14.6 30, 35-37
Governance – human resources	<ul style="list-style-type: none"> Strategic workforce planning and performance 	ARRs – section 15.1 31-36
	<ul style="list-style-type: none"> Early retirement, redundancy and retrenchment 	<i>Directive No.04/18 Early Retirement, Redundancy and Retrenchment</i> ARRs – section 15.2 31-36
Open Data	<ul style="list-style-type: none"> Statement advising publication of information 	ARRs – section 16 39
	<ul style="list-style-type: none"> Consultancies 	ARRs – section 31.1 38-39, https://data.qld.gov.au
	<ul style="list-style-type: none"> Overseas travel 	ARRs – section 31.2 38, https://data.qld.gov.au
	<ul style="list-style-type: none"> Queensland Language Services Policy 	ARRs – section 31.3 N/A
Financial statements	<ul style="list-style-type: none"> Certification of financial statements 	FAA – section 62 FPMS – sections 38, 39 and 46 ARRs – section 17.1 61
	<ul style="list-style-type: none"> Independent Auditor's Report 	FAA – section 62 FPMS – section 46 ARRs – section 17.2 62-63

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GLOSSARY

Application

A formal request to access or amend government-held information made under the process set out in right to information or information privacy legislation.

Audit and Evaluation

The Audit and Evaluation function of OIC monitors and reports on Queensland government agencies' practices and compliance with the right to information and information privacy legislation.

Best practice

A method or technique for accomplishing a business outcome, that has consistently shown results superior to those achieved by other means, and which is used as an industry benchmark.

Decision

A formal, written decision from the Information Commissioner on an external review application to affirm, vary, or set aside a decision made by an agency or Minister.

Early resolution

A flexible conciliation based process in which OIC seeks to resolve an external review application by negotiating a mutually acceptable outcome with the parties, without the need for a formal written decision.

External Review

The External Review function of OIC is responsible for the independent merits review of Queensland government agencies and Ministers' decisions about access to information under the right to information legislation and access to, or amendment of, documents under the information privacy legislation.

Information and Assistance

The Information and Assistance function of OIC operates an enquiry service, which responds to approximately 4,500 enquiries annually, and produces extensive guidance for agencies and the community.

Open data

Open data is data that organisations, businesses and individuals make available for anyone to access, use and share.

Privacy complaint

A complaint alleging that an agency has failed to comply with the privacy principles or a waiver or modification approval under the *Information Privacy Act 2009*.

Privacy principles

A set of rules that prescribe how Queensland government agencies manage the personal information they hold.

QCAT

The Queensland Civil and Administrative Tribunal is an independent tribunal which actively resolves disputes.

Right to information (RTI)

The legislative and administrative framework that allows individuals to access information held by Queensland government agencies.

Service

A group of related activities contributing to a common organisational objective.

