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Victorian Auditor-General's Office

Access to Public Sector Information

Tabled 10 December 2015

The Auditor-General provides assurance to Parliament on the accountability and performance of the Victorian Public Sector. The Auditor-General conducts financial audits and performance audits, and reports on the results of these audits to Parliament.

On 10 December 2015, the Acting Auditor-General tabled his performance audit report, *Access to Public Sector Information.*

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▌ Overview

- Agencies examined are not providing the public with full and open access to public sector information (PSI).

- Poor whole-of-government leadership and governance of information management has failed to drive the significant cultural and operational changes needed to achieve open access to PSI.

- Government needs to reform its approach to managing information so that open access to PSI can be achieved.

Public sector information—or PSI—includes all of the information that is generated, collected and funded by, or produced for government and is stored in all types of digital and physical media. The term PSI encompasses structured data—the traditional datasets that sit within databases—as well as unstructured data, or information—that includes all government records, emails, reports, briefings, photographs and more.

The audit found that:

- the agencies examined in this audit are not providing the public with full and open access to PSI.

- ineffective whole-of-government leadership and governance of information management has failed to drive the significant cultural and operational changes needed to achieve open access to PSI

- government needs to reform its approach to managing information so that open access to PSI can be achieved.

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Background

Public sector information

- A powerful resource used to drive open government, innovation, commerce, and community engagement.

2009 Parliamentary *Inquiry into Improving Access to Victorian Public Sector Information and Data*

- Commitment to 'open by default' approach—underpinned by a whole-of-government information management framework.

PSI is a powerful resource and the importance of providing access to it is being increasingly recognised by government, business, research bodies and the community—specifically for its ability to:

- improve service outcomes—by providing all relevant agencies with the quality and scope of information they need to effectively and efficiently deliver services

- achieve greater accountability, transparency and engagement—by giving the community access to information to better understand agencies' performance

- achieve greater levels of innovation and economic growth—by allowing businesses and citizens to use this information to create products and services.

To better facilitate access to Victoria's PSI, the government, in its response to the 2009 Parliamentary Inquiry into Improving Access to Victoria Public Sector Information and Data—committed to adopting an 'open by default approach' to PSI.

The Inquiry report and government's response both highlight that the failure to properly manage information critically undermines public access—and so, the government also committed to establishing a whole-of-government information management framework to provide systematic and consistent practices for categorising, storing and managing PSI.

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Focus of this audit

Objective

- Are agencies effectively facilitating access to public sector information?

Key areas examined

- Information management leadership and oversight
- Agency information management practices
- Agency facilitation of public access to PSI

The audit's objective was to assess whether agencies are effectively facilitating access to PSI.

It examined agencies' progress in facilitating access to PSI and whether:

- whole-of-government leadership and oversight has supported improved performance in this area
- sampled agencies have effectively implemented the better practice information management essential to facilitating open access to PSI
- sampled agencies are effectively facilitating access to the PSI they own and hold.

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Audit scope

Whole-of-government leadership & oversight

- Department of Premier & Cabinet (DPC)
- Department of Treasury & Finance (DTF)
- Public Record Office Victoria (PROV)
- Department of Justice & Regulation (DJR)

Agency information management (including access)

- Department of Health & Human Services (DHHS)
- Department of Environment, Land, Water & Planning (DELWP)
- State Revenue Office (SRO)

The audit examined agencies with whole of government leadership and oversight responsibility for access to PSI, namely:

- the Department of Premier & Cabinet (DPC)
- the Department of Treasury & Finance
- the Public Record Office Victoria, and
- the Department of Justice & Regulation.

The audit also examined the information management practices of

- the Department of Health and Human Services (DHHS)
- the Department of Environment, Land, Water and Planning, and
- the State Revenue Office (SRO).

The audit examined agency activities for the time period June 2009 to August 2015.

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Facilitating public access to PSI

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Agencies examined are not effectively providing the public with access to their information.

- Leadership and oversight of information management has been ineffective—failing to drive needed changes.
- Inadequate agency practices—access to PSI:
  - has not significantly improved
  - fails to meet the requirements of Part II of the *Freedom of Information Act 1982*
  - falls well short of the government's original intentions.

The agencies we examined are not providing the public with full and open access to the information to which they are entitled.

The critical foundation of comprehensive and sound information management practices has been neglected –agencies need to first understand and properly manage the PSI that they hold before they can effectively facilitate public access to it.

Ineffective leadership and oversight has failed to drive the significant cultural and operational changes needed to achieve open access to PSI—and inadequate agency practices means that access to PSI has not significantly improved and falls well short of the government's original intentions.

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▌ Leadership and oversight of PSI management   7

- No single point of accountability for PSI management.

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- Fragmented and confused information management 'landscape'—numerous unconnected, overlapping and inconsistent plans, standards, etc.

DPC should establish a whole-of-government information management framework.

We examined whether whole-of-government leadership and oversight has supported improved access to PSI, and found that there is:

- no single point of accountability for the management of Victoria's PSI

- a fragmented and confused information management 'landscape'—with numerous unconnected, overlapping and inconsistent plans, standards, and other materials—and

- no authorisation or oversight for essential practices that underpin effective access to PSI.

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Agency information management practices

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DHHS, SRO and DELWP have not reached a level of maturity where they effectively manage the PSI they hold.

- DHHS is progressing, but has been repeatedly delayed.

- SRO still to implement many improvement initiatives.

Both likely to achieve maturity with continued effort and support.

Agencies should implement better practice information management.

We also examined agency information management practices as it is essential to effectively providing access to PSI.

None of the agencies that we examined are effectively managing their PSI.

Machinery-of-government changes have hampered agencies and in particular DHHS.

All agencies are making progress and in particular we see the potential for DHHS and SRO to achieve maturity if they continue their current rate of progress.

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Next Steps

Our recommendations are targeted at:

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- DPC, which has a critical and challenging role in leading whole-of-government improvements.

- Agencies—to implement better practice information management.

DPC should develop a holistic and comprehensive whole-of-government information management framework.

DPC has a critical role to play in leading whole-of-government improvements. We do not underestimate the scale of this challenge, because government has a poor track record when it comes to information management, with partial, siloed and compromised implementation

Agencies must also play their role, by implementing better practice information management.

This means that the onus is on DPC to oversee a comprehensive and rigorous approach to implementing the type of information management framework that the government envisioned in its response to the 2009 PSI Inquiry.

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Recommendations

		Accept
That the Department of Premier & Cabinet:		
1.	• advises government on how to modernise the *Freedom of Information Act 1982* • improves guidance for and monitoring of agency compliance with Part II of the Act	✓
7.	works with agencies that have whole-of-government information management responsibilities and in consultation with the wider public sector, to develop a whole-of-government information management framework.	✓

We made seven recommendations. Two of these are directed at DPC and involve:

- modernising the *Freedom of Information Act 1982* (FOI Act), and

- improving guidance and compliance and developing a whole-of-government information management framework.

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▌Recommendations

		Accept
That agencies:		
2.	improve compliance with Part II of the *Freedom of Information Act 1982*	✔
3.	develop a proactive PSI release program	✔
4.	assess information management maturity using PROV's Information Management Maturity Measurement Tool	✔
5.	implement better practice information management custodianship and governance principles and standards	✔
6.	implement an oversight program that: • includes management of freedom of information • provides assurance that staff are complying with information management policies and procedures.	✔

The remaining five are aimed at the agencies we examined in detail and include:

• improving compliance with Part II of the FOI Act

• developing a proactive release program

• assessing their information management maturity, implementing better practice information management and oversight of information management policies and procedures.

Agencies accepted all recommendations and have provided details on how they intend to address them, and the time frame for implementation.

The Auditor-General will monitor this progress over time.

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Key messages

Agencies examined are not providing the public with full and open access to PSI to which they are entitled.

DPC should work with agencies with whole-of-government information management responsibilities—and in consultation with the wider public sector—to develop a whole-of-government information management framework.

To summarise, our key messages from the audit are that:

- agencies examined are not providing the public with full and open access to PSI to which they are entitled, and

- DPC should develop a whole-of-government information management framework.

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Overall message

Government needs to reform its approach to managing information so that open access to PSI can be achieved.

Our overall message is that the government needs to reform its approach to managing information so that open access to PSI can be achieved.

Relevant audits

- *Records Management in the Victorian Public Sector* (March 2008)
- *Freedom of Information* (April 2012)

Relevant audits are listed here.

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▌Contact us

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