# OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER

# Section 1: Entity overview and resources

## 1.1 STRATEGIC DIRECTION STATEMENT

The Office of the Australian Information Commissioner (OAIC) is an Australian Government entity established under the *Australian Information Commissioner Act* 2010.

The functions of the OAIC are:

- Information Commissioner performing strategic functions relating to information management in the Australian Government;
- Privacy particularly ensuring proper handling of personal information in accordance with the *Privacy Act 1988* and other legislation;
- Freedom of information (FOI) particularly protecting the public's right of access to documents under the *Freedom of Information Act* 1982.

In 2020-21, the major areas of focus for the OAIC will be:

- Overseeing privacy protections of COVIDSafe contact tracing app data to support the pandemic response and recovery;
- Strengthening protections for personal information in the online environment by advising on privacy law reform and the development of a privacy code for digital platforms;
- Regulating compliance with personal information security obligations through the Notifiable Data Breaches scheme and co-regulation of the Consumer Data Right;
- Promoting the proactive release of government-held information to the community and developing the FOI capabilities of Australian Government agencies and ministers.

## 1.2 ENTITY RESOURCE STATEMENT

Table 1.1 shows the total funding from all sources available to OAIC for its operations and to deliver programs and services on behalf of the government.

The table summarises how resources will be applied by outcome (government strategic policy objectives) and by administered (on behalf of the government or the public) and departmental (for the entity's operations) classification.

For more detailed information on special accounts and special appropriations, refer to Budget Paper No. 4 – Agency Resourcing.

Information in this table is presented on a resourcing (appropriations/cash available) basis, while the budgeted expenses by outcome tables in section 2 and the financial statements in section 3 are presented on an accrual basis.

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Table 1.1: Entity resource statement – budget estimates for 2020-21 as at October 2020 Budget

	2019-20 Estimated actual \$'000	2020-21 Estimate \$'000
DEPARTMENTAL		
Annual appropriations – ordinary annual services (a)		
Prior year appropriations available	-	5,675
Departmental appropriation	21,270	20,948
s74 External Revenue (b)	2,257	2,323
Annual appropriations – other services – non-operating (c)		
Prior year appropriations available	-	750
Equity injection	2,000	-
Total departmental annual appropriations	25,527	29,696
Total departmental resourcing	25,527	29,696
Total resourcing for entity	25,527	29,696
	2019-20	2020-21

Average staffing level (number) 95
All figures are GST exclusive and may not match figures in the cash flow statement.

Prepared on a resourcing (appropriations available) basis.

## 1.3 BUDGET MEASURES

Budget measures relating to the OAIC are detailed in Budget Paper No. 2 and are summarised below.

Table 1.2: Entity 2020-21 Budget measures

Measures announced after the July 2020 Economic and Fiscal Update

	Program	2020-21 \$'000	2021-22 \$'000	2022-23 \$'000	2023-24 \$'000
Payment measures					
JobMaker Plan - Digital Business Plan (a)	1.1				
Departmental payment			261	-	-
Total payment measures		-	261	-	-

Prepared on a Government Finance Statistics (underlying cash) basis.

<sup>(</sup>a) Appropriation Bill No. 1 2020-21.

<sup>(</sup>b) Estimated External Revenue receipts under section 74 of the Public Governance, Performance and Accountability Act 2013.

<sup>(</sup>c) Appropriation Bill No. 2 2019-20.

<sup>(</sup>a) The lead entity for this measure is the Digital Transformation Agency. The full measure description and package details appear in Budget Paper No. 2 under the Social Services portfolio.

# Section 2: Outcomes and planned performance

Government outcomes are the intended results, impacts or consequences of actions by the government on the Australian community. Commonwealth programs are the primary vehicle by which government entities achieve the intended results of their outcome statements. Entities are required to identify the programs that contribute to government outcomes over the budget and forward years.

The OAIC's outcome is described below together with its related program.

#### Note:

Performance reporting requirements in the Portfolio Budget Statements are part of the Commonwealth performance framework established by the *Public Governance*, *Performance and Accountability Act 2013*. It is anticipated the performance criteria described in Portfolio Budget Statements will be read with broader information provided in an entity's corporate plans and annual performance statements – included in annual reports – to provide a complete picture of an entity's planned and actual performance.

The most recent corporate plan for OAIC can be found at: https://www.oaic.gov.au/corporateplan

The most recent annual performance statement can be found at: https://www.oaic.gov.au/annualreport

## 2.1 BUDGETED EXPENSES AND PERFORMANCE FOR OUTCOME 1

Outcome 1: Provision of public access to Commonwealth Government information, protection of individuals' personal information, and performance of information commissioner, freedom of information and privacy functions.

## **Budgeted expenses for Outcome 1**

Table 2.1.1 shows how much OAIC intends to spend (on an accrual basis) on achieving Outcome 1, broken down by program and departmental funding sources.

Table 2.1.1: Budgeted expenses for Outcome 1

	2019-20 Estimated actual \$'000	2020-21 Budget \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000
Program 1.1: Complaint handling, compliance and monitoring, and education and promotion.					
DEPARTMENTAL EXPENSES					
Departmental appropriation	21,270	20,948	20,711	13,039	13,089
s74 External Revenue (a)	2,036	2,295	75	-	-
Expenses not requiring appropriation in the budget year (b)	332	322	322	322	475
Departmental total	23,638	23,565	21,108	13,361	13,564
Total expenses for Outcome 1	23,638	23,565	21,108	13,361	13,564

	2019-20	2020-21
Average staffing level (number)	95	124

Note: Departmental appropriation splits and totals are indicative estimates and may change in the course of the budget year as government priorities change. Figures displayed as a negative represent a decrease in funds and a positive represent an increase in funds. Estimated expenses incurred in relation to receipts retained under section 74 of the *Public Governance, Performance and Accountability Act 2013 (PGPA Act)*.

<sup>(</sup>a) Estimated expenses incurred in relation to receipts retained under section 74 of the PGPA Act.

<sup>(</sup>b) Expenses not requiring appropriation in the budget year are made up of depreciation expenses, amortisation expenses and audit fees.

#### Performance criteria for Outcome 1

Table 2.1.2 details the performance criteria for each program associated with Outcome 1. It also summarises how each program is delivered. The OAIC's 2020-21 corporate plan will outline the OAIC's strategies for achieving its purpose and comprehensive performance measures.

Table 2.1.2: Performance criteria for Outcome 1

Outcome 1: Provision of public access to Commonwealth Government information, protection of individuals' personal information, and performance of information commissioner, freedom of information and privacy functions.

Program 1.1: Complaint handling, compliance and monitoring, and education and promotion.

#### Delivery

- Providing privacy complaint handling and FOI review and complaints services for the public.
- Conducting assessments and investigations, and handling data breach notifications.
- Developing the privacy and information access management capabilities of Australian Government agencies.
- Developing the privacy management capabilities of businesses.
- Promoting awareness and understanding of privacy and information access rights in the community, including the production of educational materials and a public information service.
- Developing legislative instruments that are in the public interest.

#### Performance information

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Year	Performance criteria	2019-20 actual achievement/targets
2019-20	Handling privacy complaints.	80% of privacy complaints are finalised within 12 months (achieved).
	Conducting Privacy Commissioner-initiated investigations (CIIs).	80% of privacy CIIs are finalised within eight months (not achieved).
	Handling data breach notifications (DBNs).	80% of DBNs are finalised within 60 days (partially achieved). 80% of My Health Record DBNs are finalised within 60 days (not achieved).
	Providing an Information Commissioner review function.	80% of Information Commissioner reviews are completed within 12 months (not achieved).
	Handling FOI complaints.	80% of FOI complaints are finalised within 12 months (not achieved).
	Conducting FOI Commissioner-initiated investigations.	80% of FOI CIIs are finalised within eight months (not achieved).

Table 2.1.2: Performance criteria for Outcome 1 (continued)

promotion.	ued): Complaint handling, compliance and mo	
Performance inform	ation	
Year	Performance criteria	2019-20 actual achievement/targets
2019-20 (continued)	Providing a public information service.	90% of written enquiries are finalised within 10 days (not achieved).
2020-21	Handling privacy complaints.	80% of privacy complaints are finalised within 12 months.
	Conducting Privacy Commissioner-initiated investigations (Clls).	80% of privacy CIIs are finalised within eight months.
	Handling data breach notifications (DBNs).	80% of DBNs are finalised within 60 days.
		80% of My Health Record DBNs are finalised within 60 days.
	Providing an Information Commissioner review function.	80% of Information Commissioner reviews are completed within 12 months.
	Handling FOI complaints.	80% of FOI complaints are finalised within 12 months.
	Conducting FOI Commissioner-initiated investigations.	80% of FOI CIIs are finalised within eight months.
	Providing a public information service.	90% of written enquiries are finalised within 10 working days.
2021-22	Handling privacy complaints.	80% of privacy complaints are finalised within 12 months.
	Conducting Privacy Commissioner-initiated investigations (CIIs).	80% of privacy CIIs are finalised within eight months.
	Handling data breach notifications (DBNs).	80% of voluntary DBNs are finalised within 60 days. 80% of My Health Record DBNs are finalised within 60 days.
	Providing an Information Commissioner review function.	80% of Information Commissioner reviews are completed within 12 months.
	Handling FOI complaints.	80% of FOI complaints are finalised within 12 months.
	Conducting FOI Commissioner-initiated investigations.	80% of FOI CIIs are finalised within eight months.
	Providing a public information service.	90% of written enquiries are finalised within 10 working days.

Table 2.1.2: Performance criteria for Outcome 1 (continued)

Program 1.1 (continued): Complaint handling, compliance and monitoring, and education and promotion.						
Performance informa	ation					
Year	Performance criteria	2019-20 actual achievement/targets				
2022-23	Handling privacy complaints.	80% of privacy complaints are finalised within 12 months.				
	Conducting Privacy Commissioner-initiated investigations (CIIs).	80% of privacy CIIs are finalised within eight months.				
	Handling data breach notifications (DBNs).	80% of DBNs are finalised within 60 days. 80% of My Health Record DBNs are finalised within 60 days.				
	Providing an Information Commissioner review function.	80% of Information Commissioner reviews are completed within 12 months.				
	Handling FOI complaints.	80% of FOI complaints are finalised within 12 months.				
	Conducting FOI Commissioner-initiated investigations.	80% of FOI CIIs are finalised within eight months.				
	Providing a public information service.	90% of written enquiries are finalised within 10 working days.				
2023-24 and beyond	The performance criteria for Outcome 1 will be	The performance criteria for Outcome 1 will be further developed.				
Purpose	To promote and uphold privacy and information	n access rights.				

# Section 3: Budgeted financial statements

Section 3 presents budgeted financial statements which provide a comprehensive snapshot of entity finances for the 2020-21 budget year, including the impact of budget measures and resourcing on financial statements.

## 3.1 BUDGETED FINANCIAL STATEMENTS

## 3.1.1 Differences between entity resourcing and financial statements

There is no material difference between the entity resourcing and financial statements.

## 3.1.2 Explanatory notes and analysis of budgeted financial statements

The OAIC is budgeting for an underlying break-even operating result for the budget year and forward estimates, after taking into account unfunded depreciation and amortisation expenses.

# 3.2. BUDGETED FINANCIAL STATEMENTS TABLES

Table 3.1: Comprehensive income statement (showing net cost of services) for the period ended 30 June

the period ended 30 June					
	2019-20 Estimated actual \$'000	2020-21 Budget \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000
EXPENSES					
Employee benefits	15,743	14,809	14,569	9,375	9,404
Suppliers	5,886	6,927	6,250	3,697	3,718
Depreciation and amortisation (a)	1,982	1,827	289	289	442
Finance costs	27	2	-	-	-
Total expenses	23,638	23,565	21,108	13,361	13,564
LESS:					_
OWN-SOURCE INCOME					
Own-source revenue Sale of goods and rendering of					
services	2,323	2,323	75	-	
Total own-source revenue	2,323	2,323	75	-	
Gains					
Other	33	33	33	33	33
Total gains	33	33	33	33	33
Total own-source income	2,356	2.356	108	33	33
Net (cost of)/contribution by services	(21,282)	(21,209)	(21,000)	(13,328)	(13,531)
Revenue from government	20,941	20,948	20,711	13,039	13,089
Surplus/(deficit) attributable to the Australian Government	(341)	(261)	(289)	(289)	(442)
Total comprehensive income/(loss)	(341)	(261)	(289)	(289)	(442)
Total comprehensive income/(loss) attributable to the Australian Government	(341)	(261)	(289)	(289)	(442)
Note: Impact of net cash appropriatio	. ,		(200)	(200)	(::=)
	2019-20 \$'000	2020-21 \$'000	2021-22 \$'000	2022-23 \$'000	2023-24 \$'000
Total comprehensive income/(loss) excluding depreciation/amortisation expenses previously funded through revenue appropriations, depreciation on ROU, principal repayments on leased assets	_		-	-	-
Less: depreciation/amortisation					
expenses previously funded through	299	289	289	289	442
revenue appropriations (a)  Less: depreciation/amortisation	299	209	209	209	442
expenses for ROU assets (b)	1,683	1,538	_	_	_
Add: principal repayments on leased	,	,			
assets (b)	1,641	1,566	-		
Total comprehensive income/(loss)					
as per the statement of	(0.44)	(004)	(000)	(000)	(446)
comprehensive income	(341)	(261)	(289)	(289)	(442)

#### Notes for Table 3.1

Prepared on Australian Accounting Standards basis.

- (a) From 2010-11, the Government introduced net cash appropriation arrangements where Bill 1 revenue appropriations for the depreciation/amortisation expenses of non-corporate Commonwealth entities (and select corporate Commonwealth entities) were replaced with a separate capital budget (the departmental capital budget, or DCB) provided through Bill 1 equity appropriations. For information regarding DCBs, refer to Table 3.5.
- (b) Applies to leases under AASB 16 Leases.

Table 3.2: Budgeted departmental balance sheet (as at 30 June)

Table 3.2: Budgeted departmental balance sneet (as at 30 June)							
	2019-20 Estimated actual \$'000	2020-21 Budget \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000		
ASSETS							
Financial assets							
Cash and cash equivalents	1,390	1,492	1,492	1,473	1,454		
Trade and other receivables	3,151	1,788	1,769	1,769	1,769		
Total financial assets	4,541	3,280	3,261	3,242	3,223		
Non-financial assets							
Land and buildings	1,777	-	-	-	-		
Property, plant and equipment	1,596	2,980	2,883	2,613	2,343		
Intangibles	651	497	324	324	171		
Other non-financial assets	483	483	483	483	483		
Total non-financial assets	4,507	3,960	3,690	3,420	2,997		
Total assets	9,048	7,240	6,951	6,662	6,220		
LIABILITIES							
Payables							
Suppliers	647	680	680	680	680		
Other payables	1,151	1,151	1,151	1,151	1,151		
Total payables	1,798	1,831	1,831	1,831	1,831		
Interest bearing liabilities							
Leases	1,580	-	-	-	-		
Total interest bearing liabilities	1,580	-	-	-	-		
Provisions							
Employee provisions	2,303	2,303	2,303	2,303	2,303		
Total provisions	2,303	2,303	2,303	2,303	2,303		
Total liabilities	5,681	4,134	4,134	4,134	4,134		
Net assets	3,367	3,106	2,817	2,528	2,086		
EQUITY (a)							
Parent entity interest							
Contributed equity	4,173	4,173	4,173	4,173	4,173		
Reserves	172	172	172	172	172		
Retained surplus (accumulated deficit)	(978)	(1,239)	(1,528)	(1,817)	(2,259)		
Total parent entity interest	3,367	3,106	2,817	2,528	2,086		
Total equity	3,367	3,106	2,817	2,528	2,086		

Prepared on Australian Accounting Standards basis.

<sup>(</sup>a) 'Equity' is the residual interest in assets after deduction of liabilities.

Table 3.3: Departmental statement of changes in equity – summary of movement (2020-21 budget year)

	Retained earnings \$'000	Asset revaluation reserve \$'000	Contributed equity/ capital \$'000	Total equity \$'000
Opening balance as at 1 July 2020				
Balance carried forward from previous				
period	(978)	172	4,173	3,367
Adjusted opening balance	(978)	172	4,173	3,367
Comprehensive income				
Surplus/(deficit) for the period	(261)	-	=	(261)
Total comprehensive income	(261)	-	-	(261)
Estimated closing balance as at 30 June 2021	(1,239)	172	4,173	3,106
Closing balance attributable to the Australian Government	(1,239)	172	4,173	3,106

Prepared on Australian Accounting Standards basis

Table 3.4: Budgeted departmental statement of cash flows (for the period ended 30 June)

30 June)					
	2019-20 Estimated actual \$'000	2020-21 Budget \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000
OPERATING ACTIVITIES					
Cash received					
Appropriations	22,082	22,311	20,730	13,039	13,089
Sale of goods and rendering of					
services	2,323	2,323	75	-	-
Net GST received	250	250	-	-	
Total cash received	24,655	24,884	20,805	13,039	13,089
Cash used					
Employees	15,743	14,809	14,569	9,375	9,404
Suppliers	6,286	6,875	6,217	3,664	3,685
Net GST paid	250	250	-	-	-
Interest payments on lease liability	27	2	-	-	-
Total cash used	22,306	21,936	20,786	13,039	13,089
Net cash from/(used by) operating activities	2,349	2,948	19	-	
INVESTING ACTIVITIES					
Cash used					
Purchase of property, plant and equipment and intangibles	1,219	1,280	19	19	19
Total cash used	1,219	1,280	19	19	19
Net cash from/(used by) investing activities	(1,219)	(1,280)	(19)	(19)	(19)
FINANCING ACTIVITIES					
Cash received					
Contributed equity	1,300	-	-	-	-
Total cash received	1,300	-	-	-	-
Cash used					
Principal payments on lease liability	1,641	1,566	-	-	-
Total cash used	1,641	1,566	-	-	-
Net cash from/(used by) financing activities	(341)	(1,566)	-	-	-
Net increase/(decrease) in cash held	789	102	-	(19)	(19)
Cash and cash equivalents at the beginning of the reporting period	601	1,390	1,492	1,492	1,473
Cash and cash equivalents at the end of the reporting period	1,390	1,492	1,492	1,473	1,454

Prepared on Australian Accounting Standards basis.

Table 3.5: Departmental capital budget statement (for the period ended 30 June)

	2019-20 Estimated actual \$'000	2020-21 Budget \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000
NEW CAPITAL APPROPRIATIONS					
Equity injections – Bill 2	2,000	-	-	-	-
Total new capital appropriations	2,000				-
Provided for:					
Purchase of non-financial assets	2,000	-	-	-	-
Total items	2,000		-		-
PURCHASE OF NON-FINANCIAL ASSETS					
Funded by capital appropriations (a) Funded internally from departmental	1,200	750	-	=	-
resources	19	19	19	19	19
Total	1,219	769	19	19	19
RECONCILIATION OF CASH USED TO ACQUIRE ASSETS TO ASSET MOVEMENT TABLE					
Total purchases	1,219	769	19	19	19
Total cash used to acquire assets	1,219	769	19	19	19

Prepared on Australian Accounting Standards basis.

(a) Includes funding from current Bill No. 1 and s74 External Revenue receipts.

Table 3.6: Statement of asset movements (2020-21 budget year)

	Buildings \$'000	Other property, plant and equipment \$'000	Computer software and intangibles \$'000	Total \$'000
As at 1 July 2020				
Gross book value	-	-	3,137	3,137
Gross book value – ROU assets	3,221	2,346	-	-
Accumulated depreciation/amortisation and impairment	-	-	(2,486)	(2,486)
Accumulated depreciation/amortisation and impairment – ROU assets	(1,683)	-	-	(1,683)
Opening net book balance	1,538	2,346	651	(1,032)
CAPITAL ASSET ADDITIONS				
Estimated expenditure on new or replacement assets				
By purchase – appropriation equity (a)	-	750	-	750
By purchase – appropriation ordinary annual services (b)		-	19	19
Total additions	-	750	19	769
OTHER MOVEMENTS				
Depreciation/amortisation expense	-	(116)	(173)	(289)
Depreciation/amortisation on ROU assets	(1,538)	-	-	(1,538)
Total other movements	(1,538)	(116)	(173)	(1,827)
As at 30 June 2021				
Gross book value	-	750	3,156	3,906
Gross book value – ROU assets	3,221	2,346	=	5,567
Accumulated depreciation/amortisation and impairment	-	(116)	(2,659)	(2,775)
Accumulated depreciation/amortisation and impairment – ROU assets	(3,221)	-	-	(3,221)
Closing net book balance	-	2,980	497	3,477

Prepared on Australian Accounting Standards basis.

<sup>(</sup>a) 'Appropriation equity' refers to equity injections appropriations provided through Appropriation Bill No. 2 2019-20.

<sup>(</sup>b) 'Appropriation ordinary annual services' refers to funding provided through Appropriation Bill No.1 2020-21 for other operational expenses.