

Freedom of Information (Accessibility of Government Information) Statement 2025 (No 1)

Notifiable instrument NI2025–268

made under the

Freedom of Information Act 2016, s 95 (Annual Statements by Chief Minister)

1 Name of instrument

This instrument is the *Freedom of Information (Accessibility of Government Information) Statement 2025 (No 1)*.

2 Commencement

This instrument commences on the day after its notification day.

3 Approval

I issue the following statement on accessibility of government information.

Andrew Barr
Chief Minister
20 May 2025

Chief Minister's statement on accessibility of government information

It has been seven years since the ACT Government passed the *Freedom of Information Act 2016* (the Act), an enabling law that enshrines the public's right to access information and establishes expectations for an open, transparent and accountable government. The ACT Government remains firm in its commitment to the intentions of the Open Access Information scheme to improve the public's right to access government information. The ACT is cognisant that communities must be able to interact with government information that matters, to hold government to account for its actions. Citizens with access to government information are better able to be informed participants in decision-making and have an increased awareness of government services that they can choose to engage.

Guided by the Ombudsman's Office and through government-wide networks, agencies continually improve processes to deliver a consistent approach to proactive disclosure of government information. Identifying and sharing information with the community is at the forefront.

This statement sets the Government's:

- aims for increasing proactive disclosure of government information and reducing the need for members of the public to make access applications;
- expectations of agencies for the provision of government information; and
- response to address information access issues identified by the Ombudsman in the previous 12 months.

Consideration of the Ombudsman's most recent annual report on the operation of the Act under section 67, as well as the views of agency Information Officers appointed under the Act, also form part of this statement.

Increasing proactive disclosure

Website publications

One of the first initiatives undertaken by the ACT Government to support the Act's pro-disclosure position was the introduction of an Open Information Access portal. The portal provides agencies with a central platform to publish information, and make links to information published on agency websites, demonstrating compliance with open access requirements. Under the Open Access Information Scheme, agencies regularly disclose information such as policy documents, budget papers, reports and recommendations prepared by boards, councils, committees and panels, as well as Ministerial diaries and Cabinet decision summaries.

In 2021, the ACT Government commenced a project to centralise its websites. Through this website consolidation project, the ACT Government is making it easier to find, access and understand ACT Government information and services, without the need to know or navigate the structure of government. As part of the project, the Government is moving away from separate individual agency/organisation centric websites to a simple, unified One Government website ecosystem, that is topic based and tailored to the needs and behaviours of Canberrans. Since 2022, more than 50 out of 130 separate government information websites have been reviewed and consolidated.

A new One Government website, act.gov.au was launched in early 2024 and is now the home to content from 6 out of 9 government Directorates. Content has been rewritten, restructured and simplified to make it easier for the community to understand and access government information and services, reduce the number of websites for users to navigate, and improve open and transparent access. In December 2024, a new '[Open government information](#)' section was established on act.gov.au to continue to improve access and transparency by bringing content that specifically responds to open government principles into a single location.

Overall, the improvements delivered through the project include:

- a new website design system to improve user experience, web accessibility and consistency;
- all content made available in accessible plain language;
- redevelopment of the Access Canberra and act.gov.au websites;
- implementation of new accessibility monitoring and improvement tools; and
- improved website governance.

Open Data

As of 7 January 2025, 460 datasets have been released on the ACT Government Open Data Portal. Open data assets have been viewed 2,018,560 times and downloaded 89,642,093 times through the portal - www.data.act.gov.au.

The top 5 most downloaded data assets of all time were:

Dataset Name	Data Type	Downloads
Smart Parking Lots	dataset	29,201,136
Deprecated - Beaches in the ACT	map	8,396,215
2003 Bushfire (Affected Areas)	map	7,296,458
ACT Reserves	map	5,994,142
ACT Primary School Priority Placement Areas 2014 - archived	map	5,771,822

A further 174 datasets were available on the [ACT Geospatial Data Catalogue](#) which is accessible through actmapi.act.gov.au.

ACT Memory

The ACT Memory database has been providing the public with access to information about historical ACT Government records since 2022, including Executive Documents that have been released to applicants from that time. At the end of the 2023-24 financial year, the public was able to search for information about 111,500 historical government records, with the dominant portion being Territory Lease files. A total of 1,299 digital copies of Executive Documents, made up of Cabinet decisions, submissions and release determinations, were available to view in ACT Memory as at the end of June 2024. ArchivesACT continues to look for opportunities to increase content on ACT Memory. In 2023-24 the Territory Records Office secured funding over two years to digitise archives on obsolete magnetic media, with the intent to facilitate community access to releasable digital content via ACT Memory. Over the last 12 months there has been a number of digitisation projects underway across the ACT Government to improve efficiencies in accessing the records that users need on a day-to-day basis. These projects will help to ensure ongoing access to those records that are of enduring value to our community, and are important in facilitating our community's right to access records.

Digital Recordkeeping

In support of increasingly efficient and reliable management of government information, the ACT Public Service's digital recordkeeping capability continues to expand. More than 12,500 of our ACT Public Service workforce are now licensed to use the two endorsed whole of government electronic document and records management systems (EDRMS) – Content Manager and Objective. This is an increase of 9% since January 2024, with further growth predicted in the coming year, making our ability to capture and retrieve information for all facets of business more efficient, including for responding to FOI requests.

We are also improving our EDRMS infrastructure to support flexible work arrangements so that staff can interact with records beyond a desktop or laptop. Objective can now be accessed securely through tablets or mobile devices, with Content Manager on track to go live with this functionality later in 2025. We are implementing a Connect Link which will allow maintenance of version control as data is shared securely across both EDRMS platforms or externally. Integrations with other software platforms and workflow enhancements will support the automation of manual recordkeeping processes, including by speeding up our processes for ensuring unnecessary information can be disposed of appropriately to mitigate risk and reduce storage costs.

Review of the FOI Act

The ACT Government is committed to continuous improvement of the FOI system, where needed, to ensure the objectives of the FOI Act are met and Government is transparent. Earlier this year, the Government engaged an independent reviewer to conduct a statutory review of the Act. The review will undertake a comprehensive analysis of the operation of the Act. It will seek to understand the views and experiences of key actors involved in the FOI framework, including the ACT Ombudsman, and consider opportunities to improve the Act and the Open Access Information scheme. The review will report its findings for consideration by Government.

Expectations

The ACT Government expects its agencies to comply with the Act by:

- ensuring records are created and maintained so the community can understand why and how decisions are made;
- regularly reviewing the Open Access Information website to ensure that the materials published there remain, as far as practicable, accurate, up-to-date and complete;
- continuing to proactively publish all appropriate government information through a variety of means, including through the Open Access Information website, ACT Memory, Open Data Portal, and other ACT Government websites;
- continuing to build public interest test assessments into policy development workflows, so that new policies are routinely assessed and released for publication, where appropriate; and
- sustaining and improving compliance with the Act, including by addressing the issues identified by the Ombudsman (discussed further below).

Issues identified by the Ombudsman

The Ombudsman's annual report on the operation of the Act 2023-24 was tabled in the ACT Legislative Assembly on 3 December 2024, as required under section 67 of the Act. Drawing on data provided by the nine ACT Government Directorates, the Ombudsman concluded that, predominantly, agencies are proactively making open access decisions, and the quality of agency decision making is improving. There are still opportunities to do better in addressing pending decisions and enhancing processes. The ACT Government acknowledges the strengths and challenges that the Ombudsman has reported and will continue to take a progressive approach to advancing agency capability to make government-held information accessible.

Open access information decisions

Importantly, the Ombudsman's report acknowledges that the information published through the open access information scheme does not reflect all information made publicly available by agencies. The ACT Government supports the Office's continued position to not impose additional reporting requirements for information published through other channels, agreeing that it would be administratively burdensome and would not necessarily lead to improved performance under the Act.

The Ombudsman's most recent report took a different approach to outlining proactive publication decisions. The simpler approach is appreciated, and it is positive to see that, compared to 2022-23 data, the decisions not to publish dropped (by 69%) and the decisions to publish increased (by 37%) in 2023-24, clearly demonstrating the ongoing development of agency maturity in making open access decisions.

Informal requests for information

There has been a small decrease in the number of requests being resolved outside the formal FOI process, as is intended by the Act. Like the ACT Ombudsman's Office, the ACT Government is pleased that requests for information are continuing to be resolved informally and welcomes any insights from the Office, through its monitoring, that will further assist agencies to informally release information wherever possible.

Access applications

The Ombudsman's report notes a 4% increase in FOI access applications received by agencies and Ministers from the previous year, and since the first full year of the operation of the Act there has been a steady increase in access applications more broadly. This has been met by an increase in agency responsiveness to access applications. Almost two thirds of applications resulted in a decision to provide some form of access, and 99% of the access decisions were finalised within the statutory timeframe – a similar trend to 2023-24. As pointed out in the report, this is an indication of a stable pro-disclosure culture amongst agencies. As with 2022-23 and in line with the pro-disclosure objects of the Act, no agency charged fees for processing access applications - cost is consistently not an obstacle to access.

Ombudsman reviews

While Ombudsman review applications decreased by 22% this year, the Ombudsman's observations on agency decisions and behaviours continues to highlight the need for enhanced communication with applicants. Emphasising early engagement to define the scope of access applications, and clearly explaining access decisions with reference to the Act are effective strategies.

The ACT Government encourages agencies to look for opportunities to further implement these strategies to improve the overall access application process for both agencies and applicants.

The ACT Government acknowledges the Ombudsman’s ongoing focus on monitoring open access compliance in the ACT and working with agencies to further build on existing practices. The library of guidance material developed by the Office and year-on-year support has helped agencies to mature in meeting the Act's objectives. The opportunity to refine decision-making capability to increase consistency and timeliness is a logical next step in upholding the open information access rights and expectations of the Canberra community. The Office’s insights are critical to informing the independent review of the FOI Scheme in 2025 and the review will be part of the ACT Ombudsman’s focus for the coming year.

Views of Information Officers and FOI Coordinators

ACT Government Information Officers, decision makers appointed under the FOI Act, as well as agency FOI coordinators who process applications and make recommendations, have been consulted in the preparation of this statement.

FOI coordinators from across the ACT Public Service continue to meet weekly to discuss matters of common interest and provide updates on cases that affect multiple agencies. Coordinators noted an increase in the number and complexity of applications made under the Act.

Statutory authorities expressed appreciation for the invaluable assistance provided by experienced FOI officers from Directorates that supports timely and informed action to meet obligations under the Act, and ultimately to the applicants.

Officers and coordinators also welcome the review of the FOI legislation.