

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 2021–22, the major areas of focus for the OAIC will be:

- Regulating compliance with online personal information and security obligations of the Australian Privacy Principles, 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;
- Strengthening protections for personal information in the online environment by advising on privacy law reform, the development of a privacy code for digital platforms and the rollout of the Consumer Data Right to other sectors;
- Supporting the pandemic response and recovery by promoting the protection of personal information and the public's right of access to documents.

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.

Table 1.1: Entity resource statement – budget estimates for 2021–22 as at Budget May 2021

	2020-21 Estimated actual \$'000	2021-22 Estimate \$'000
DEPARTMENTAL		
Annual appropriations – ordinary annual services (a)		
Prior-year appropriations available	2,774	2,664
Departmental appropriation	20,948	25,283
s74 External Revenue (b)	2,323	150
Annual appropriations – other services – non-operating (c)		
Prior-year appropriations available	360	390
Total departmental annual appropriations	26,405	28,487
Total departmental resourcing	26,405	28,487
Total resourcing for entity	26,405	28,487
	2020-21	2021-22
Average staffing level (number)	120	147

All figures are GST exclusive and may not match figures in the cash flow statement.

Prepared on a resourcing (appropriations available) basis.

(a) Appropriation Bill (No. 1) 2021–22.

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

(c) Appropriation Bill (No. 2) 2019–20.

1.3 Budget measures

Budget measures in Part 1 relating to OAIC are detailed in Budget Paper No. 2 and are summarised below.

Table 1.2: Entity 2021–22 Budget measures
Measures announced since the 2020–21 Mid-Year Economic and Fiscal Outlook

	Program	2020-21 \$'000	2021-22 \$'000	2022-23 \$'000	2023-24 \$'000	2024-25 \$'000
PAYMENT MEASURES						
Freedom of Information Commissioner	1.1					
Departmental payment		-	984	985	988	992
Digital Economy Strategy (a)	1.1					
Departmental payment		-	3,524	3,524	-	-
Total payment measures		-	4,508	4,509	988	992

Prepared on a Government Finance Statistics (underlying cash) basis. Figures displayed as a negative represent a decrease in funds and a positive represent an increase in funds.

(a) The full measure description appears in Budget Paper No. 2 under Cross 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 which contribute to government outcomes over the budget and forward years.

Each outcome is described below together with its related programs. The following provides detailed information on expenses for each outcome and program, further broken down by funding source.

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 that 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

	2020-21 Estimated actual \$'000	2021-22 Budget \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000
Program 1.1: Complaint handling, compliance and monitoring, and education and promotion.					
DEPARTMENTAL EXPENSES					
Departmental appropriation	21,798	25,283	17,644	14,174	14,228
s74 External Revenue (a)	2,323	150	-	-	-
Expenses not requiring appropriation in the budget year (b)	315	395	355	466	424
Departmental total	24,436	25,828	17,999	14,640	14,652
Total expenses for program 1.1	24,436	25,828	17,999	14,640	14,652

	2020-21	2021-22
Average staffing level (number)	120	147

Note: Departmental appropriation splits and totals are indicative estimates and may change in the course of the budget year as government priorities change.

(a) Estimated expenses incurred in relation to receipts retained under section 74 of the *Public Governance, Performance and Accountability Act 2013*.

(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 2021–22 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	<ul style="list-style-type: none">• 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		
Year	Performance criteria	Actual achievement/targets
2020-21	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 (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 (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)

Program 1.1: Complaint handling, compliance and monitoring, and education and promotion.		
Performance information		
Year	Performance criteria	Actual achievement/targets
2020-21 (continued)	Providing a public information service.	90% of written enquiries are finalised within 10 days (not achieved).
2021-22	<i>Resolve privacy complaints. (a)</i> <i>Conduct privacy and FOI Commissioner-initiated investigations (CIIs). (b)</i> <i>Ensure timely handling of data breach notifications. (c)</i> <i>Provide Information Commissioner review of FOI decisions made by agencies and Ministers. (a)</i> <i>Resolve FOI complaints. (a)</i> <i>Respond to privacy and information access enquiries from the public. (a)</i>	80% of privacy complaints are finalised within 12 months. <i>80% of privacy and FOI CIIs are finalised within eight months. (b)</i> <i>80% of Notifiable Data Breaches are finalised within 60 days. (c)</i> 80% of My Health Record notifications are finalised within 60 days. 80% of Information Commissioner reviews are completed within 12 months. 80% of FOI complaints are finalised within 12 months. 90% of written enquiries are finalised within 10 working days.
2022-23	Same as for 2021-22.	Same as for 2021-22.

Table 2.1.2: Performance criteria for Outcome 1 (continued)

Program 1.1: Complaint handling, compliance and monitoring, and education and promotion.		
Performance information		
Year	Performance criteria	2020-21 actual achievement/targets
2023-24	Same as for 2021-22.	Same as for 2021-22.
2024-25 and beyond	The performance criteria for Outcome 1 will be further developed.	
Purpose	To promote and uphold privacy and information access rights.	

(a) Modified to improve clarity and align with OAIC Corporate Plan.

(b) Modified to combine privacy and FOI CILs into one performance criteria and target.

(a) Modified to improve clarity and align with OAIC Corporate Plan. Target modified to reflect the schemes administered.

Section 3: Budgeted financial statements

Section 3 presents budgeted financial statements which provide a comprehensive snapshot of entity finances for the 2021–22 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

	2020-21 Estimated actual \$'000	2021-22 Budget \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000
EXPENSES					
Employee benefits	14,809	17,999	12,841	9,995	10,426
Suppliers	7,559	6,585	3,919	3,257	2,843
Depreciation and amortisation (a)	2,060	1,224	1,224	1,377	1,377
Finance costs	8	20	15	11	6
Total expenses	24,436	25,828	17,999	14,640	14,652
LESS:					
OWN-SOURCE INCOME					
Own-source revenue					
Sale of goods and rendering of services	2,323	150	-	-	-
Total own-source revenue	2,323	150	-	-	-
Gains					
Other	33	33	33	33	33
Total gains	33	33	33	33	33
Total own-source income	2,356	183	33	33	33
Net (cost of)/contribution by services	(22,080)	(25,645)	(17,966)	(14,607)	(14,619)
Revenue from government	20,948	25,283	17,644	14,174	14,228
Surplus/(deficit) attributable to the Australian Government	(1,132)	(362)	(322)	(433)	(391)
Total comprehensive income/(loss)	(1,132)	(362)	(322)	(433)	(391)
Total comprehensive income/(loss) attributable to the Australian Government	(1,132)	(362)	(322)	(433)	(391)
Note: Impact of net cash appropriation arrangements					
	2020-21 \$'000	2021-22 \$'000	2022-23 \$'000	2023-24 \$'000	2024-25 \$'000
Total comprehensive income/(loss) less depreciation/amortisation expenses previously funded through revenue appropriations	(850)	-	-	-	-
Less depreciation/amortisation expenses previously funded through revenue appropriations (a)	289	289	289	442	442
Less depreciation/amortisation expenses for ROU (b)	1,771	935	935	935	935
Plus principal repayments on leased assets (b)	1,778	862	902	944	986
Total comprehensive income/(loss) as per the statement of comprehensive income	(1,132)	(362)	(322)	(433)	(391)

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: Departmental capital budget statement.

(b) Applies to leases under AASB 16 Leases.

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

	2020-21 Estimated actual \$'000	2021-22 Budget \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000
ASSETS					
Financial assets					
Cash and cash equivalents	1,843	1,453	1,434	1,415	1,396
Trade and other receivables	4,943	4,924	4,924	4,924	4,924
Total financial assets	6,786	6,377	6,358	6,339	6,320
Non-financial assets					
Land and buildings	4,452	3,517	2,582	1,647	712
Property, plant and equipment	1,817	2,110	1,840	1,570	1,300
Intangibles	542	369	369	216	63
Other non-financial assets	526	526	526	526	526
Total non-financial assets	7,337	6,522	5,317	3,959	2,601
Total assets	14,123	12,899	11,675	10,298	8,921
LIABILITIES					
Payables					
Suppliers	2,689	2,689	2,689	2,689	2,689
Other payables	823	823	823	823	823
Total payables	3,512	3,512	3,512	3,512	3,512
Interest-bearing liabilities					
Leases	4,496	3,634	2,732	1,788	802
Total interest-bearing liabilities	4,496	3,634	2,732	1,788	802
Provisions					
Employee provisions					
Other provisions	2,949	2,949	2,949	2,949	2,949
Total provisions	2,949	2,949	2,949	2,949	2,949
Total liabilities	10,957	10,095	9,193	8,249	7,263
Net assets	3,166	2,804	2,482	2,049	1,658
EQUITY (a)					
Parent entity interest					
Contributed equity	4,873	4,873	4,873	4,873	4,873
Reserves	207	207	207	207	207
Retained surplus (accumulated deficit)	(1,914)	(2,276)	(2,598)	(3,031)	(3,422)
Total parent entity interest	3,166	2,804	2,482	2,049	1,658
Total equity	3,166	2,804	2,482	2,049	1,658

Prepared on Australian Accounting Standards basis.

(a) Equity is the residual interest in assets after the deduction of liabilities.

Table 3.3: Departmental statement of changes in equity – summary of movement (2021–22 budget year)

	Retained earnings \$'000	Asset revaluation reserve \$'000	Contributed equity/ capital \$'000	Total equity \$'000
Opening balance as at 1 July 2021				
Balance carried forward from previous period	(1,914)	207	4,873	3,166
Adjusted opening balance	(1,914)	207	4,873	3,166
Comprehensive income				
Surplus/(deficit) for the period	(362)	-	-	(362)
Total comprehensive income	(362)	-	-	(362)
Estimated closing balance as at 30 June 2022	(2,276)	207	4,873	2,804
Closing balance attributable to the Australian Government	(2,276)	207	4,873	2,804

Prepared on Australian Accounting Standards basis.

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

	2020-21 Estimated actual \$'000	2021-22 Budget \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000
OPERATING ACTIVITIES					
Cash received					
Appropriations	20,411	25,302	17,644	14,174	14,228
Sale of goods and rendering of services	2,323	142	-	-	-
Net GST received	250	8	-	-	-
Total cash received	22,984	25,452	17,644	14,174	14,228
Cash used					
Employees	14,809	17,999	12,841	9,995	10,426
Suppliers	7,507	6,302	3,636	2,974	2,560
Net GST paid	250	250	250	250	250
Interest payments on lease liability	8	20	15	11	6
Total cash used	22,574	24,571	16,742	13,230	13,242
Net cash from/(used by) operating activities	410	881	902	944	986
INVESTING ACTIVITIES					
Cash used					
Purchase of property, plant and equipment and intangibles	379	409	19	19	19
Total cash used	379	409	19	19	19
Net cash from/(used by) investing activities	(379)	(409)	(19)	(19)	(19)
FINANCING ACTIVITIES					
Cash used					
Principal payments on lease liability	1,778	862	902	944	986
Total cash used	1,778	862	902	944	986
Net cash from/(used by) financing activities	(1,778)	(862)	(902)	(944)	(986)
Net increase/(decrease) in cash held	(1,747)	(390)	(19)	(19)	(19)
Cash and cash equivalents at the beginning of the reporting period	3,590	1,843	1,453	1,434	1,415
Cash and cash equivalents at the end of the reporting period	1,843	1,453	1,434	1,415	1,396

Prepared on Australian Accounting Standards basis.

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

	2020-21 Estimated actual \$'000	2021-22 Budget \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000
PURCHASE OF NON-FINANCIAL ASSETS					
Funded by capital appropriations (a)	360	390	-	-	-
Funded internally from departmental resources	19	19	19	19	19
Total	379	409	19	19	19
RECONCILIATION OF CASH USED TO ACQUIRE ASSETS TO ASSET MOVEMENT TABLE					
Total purchases	379	409	19	19	19
Total cash used to acquire assets	379	409	19	19	19

Prepared on Australian Accounting Standards basis.

(a) Includes funding from 2019-20 Bill 2.

Table 3.6: Statement of departmental asset movements (2021–22 budget year)

	Buildings \$'000	Other property, plant and equipment \$'000	Computer software and intangibles \$'000	Total \$'000
As at 1 July 2021				
Gross book value	-	4,482	3,207	7,689
Gross book value – ROU assets	7,899	-	-	7,899
Accumulated depreciation/amortisation and impairment	-	(2,665)	(2,665)	(5,330)
Accumulated depreciation/amortisation and impairment – ROU assets	(3,447)	-	-	(3,447)
Opening net book balance	4,452	1,817	542	6,811
CAPITAL ASSET ADDITIONS				
Estimated expenditure on new or replacement assets				
By purchase – appropriation equity (a)	-	390	-	390
By purchase – appropriation ordinary annual services (a)	-	19	-	19
Total additions	-	409	-	409
OTHER MOVEMENTS				
Depreciation/amortisation expense	-	(116)	(173)	(289)
Depreciation/amortisation on ROU assets	(935)	-	-	(935)
Total other movements	(935)	(116)	(173)	(1,224)
As at 30 June 2022				
Gross book value	-	4,891	3,207	8,098
Gross book value – ROU assets	7,899	-	-	7,899
Accumulated depreciation/amortisation and impairment	-	(2,781)	(2,838)	(5,619)
Accumulated depreciation/amortisation and impairment – ROU assets	(4,382)	-	-	(4,382)
Closing net book balance	3,517	2,110	369	5,996

Prepared on Australian Accounting Standards basis.

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

(b) 'Appropriation ordinary annual services' refers to funding provided through Appropriation Bill (No. 1) 2021–22 for depreciation/amortisation expenses, departmental capital budget or other operational expenses.

