

# Access to Information Policy

As at September 2020



# ACCESS TO INFORMATION POLICY

<b>RESPONSIBILITY</b>	Corporate Governance		
<b>DATE ADOPTED</b>	1 July 2010	<b>MINUTE</b>	
<b>REVISED</b>	September 2020	<b>REVIEW</b>	2021
<b>ECM No</b>	1352080		
<b>ASSOCIATED DOCUMENTS</b>	Agency Information Guide		
<b>ASSOCIATED LEGISLATION</b>	<ul style="list-style-type: none"> <li>• <i>Government Information (Public Access) Act 2009</i></li> <li>• <i>Privacy and Personal Information Protection Act 1998</i></li> <li>• <i>State Records Act 1998</i></li> <li>• <i>Health Records and Information Privacy Act 2002</i></li> <li>• <i>Local Government Act 1993</i></li> <li>• <i>Environmental Planning and Assessment Act 1979</i></li> </ul>		

## 1.0 Introduction

### 1.1 Title and Commencement

This policy is titled *Access to Information Policy*. This policy was adopted on 29 June 2010 by Council resolution and became operational on 1 July 2010. The following amendments have been made:

Type	Description	Authority
Amendment 1/1/2011	Council's GIPAA Publication Guide replaced and incorporates the access to information guideline. References to the "guideline" are changed to "publication guide" in this policy.	General Manager
Amendment 1/8/2012	Amendment to GIPA Act changed name of Publication Guide to Agency Information Guide. Policy amended accordingly.	General Manager
September 2017	Periodic review	Manager Corporate Services
September 2020	Review	CEO

### 1.2 Background and Purpose of Policy

Strathfield Council is committed to the following principles regarding

public access to documents and information:

- open and transparent government
- consideration of the overriding public interest in relation to access requests
- proactive disclosure and dissemination of information
- respect for the privacy of individuals

### **1.3 Objectives of the policy**

The objective of this policy is to describe Council's principles regarding public access to information and to facilitate the processing of requests for such access. This policy is to be read in conjunction with Council's *Agency Information Guide*.

### **1.4 Coverage of the Policy**

This policy applies to councillors and council staff, as well as members of the public.

### **1.5 Definitions**

**Record** – is any communication or document held by Council.

### **2.0 Policy**

Council publishes specific open access information on our website, free of charge unless to do so would impose unreasonable additional costs to Council. Council will facilitate public access through this and other appropriate mediums.

Council publishes for inspection documents listed under Schedule 1 of the *Government Information (Public Access) Regulation 2009* held by it, unless there is an overriding public interest not to do so. Council will keep a record of all open access information that is not published because of an overriding public interest against disclosure.

Council also makes as much other information as possible publicly available in an appropriate manner, including on the internet. Such information is also available free of charge or at the lowest reasonable cost.

Council's Agency Information Guide identifies the documents and types of information that are available for public access and any restrictions that may apply.

Some documents may require a formal access application in accordance with the *Government Information (Public Access) Act*. Council will assess

all requests for access to documents and information in a timely manner and in accordance with relevant legislation. Council's Agency Information Guide sets out the processes for accessing information.

Depending upon the nature of the request and the form of access requested charges may be

applied in accordance with Council's Schedule of Fees and Charges and

relevant legislation. Council will assess requests for access to information

with reference to:

- *Government Information (Public Access) Act 2009*
- *Privacy and Personal Information Protection Act 1998*
- *Health Records and Information Privacy Act 2002*
- *State Records Act 1998*
- *Local Government Act 1993*
- *Environmental Planning and Assessment Act 1979*

and any other relevant legislation and guidelines as applicable.

Broad requests for access to a large number of unspecified documents which, if processed, would divert substantial Council resources from dealing with other requests, or from performing other Council functions may be refused on the grounds that such a diversion of resources is contrary to the public interest. Council will endeavour to assist in defining the request to a more manageable one.

Council also endeavours to release other information in response to an informal request, subject to any reasonable conditions Council may impose having regard to the circumstances of the case.

Where information is released to an applicant under a formal access application and Council considers that it will be of interest to other members of the public, Council will provide details of the information in a disclosure log for inspection by the public.