

STRATHFIELD COUNCIL

ACCESS TO INFORMATION POLICY

June 2021

RESPONSIBILITY	Governance		
DATE ADOPTED	June 2021	MINUTE	
REVISED	June 2021	REVIEW	June 2023
ECM No	1352080		
ASSOCIATED POLICIES	Strathfield Council Code of Conduct Strathfield Council Privacy Management Plan Strathfield Council Records Management Policy		
ASSOCIATED LEGISLATION	<i>Government Information (Public Access) Act 2009</i> <i>Privacy and Personal Information Protection Act 1998</i> <i>State Records Act 1998</i> <i>Health Records and Information Privacy Act 2002</i> <i>Local Government Act 1993</i> <i>Environmental Planning and Assessment Act 1979</i>		
ASSOCIATED DOCUMENTS	Strathfield Council Agency Information Guide Strathfield Council Privacy Access to Applicant's Personal Information form Strathfield Council Privacy Alterations of Applicant's Personal Information form Strathfield Council Privacy Application to Determine Whether Council Holds Information form Strathfield Council Privacy Suppression of Personal Information from a Public Register form Strathfield Council Internal Review Application (GIPA Act) form Strathfield Council Formal Information Access Request form Strathfield Council Informal Information Access Request form		

Introduction

1.0 Purpose

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

1.1 Objectives

This Policy describes Council's principles regarding public access to information and how we facilitate the processing of requests for such access. This policy is to be read in conjunction with Council's Agency Information Guide.

1.2 Coverage

This policy applies to Council Staff and Councillors, as well as members of the public.

1.3 Definitions

GIPA	Refers to <i>Government Information (Public Access) Act 2009</i>
Record	any communication or document held by Council.
Formal GIPA	information requested where consultation with other agencies or third parties is required, or where the scope of the request means that it will take significant agency resources to provide the information.
Informal GIPA	information which is considered "open access" under the GIPA Act, such as request for information that do not require extensive searches.
Public Interest	Public Interest cannot be defined as it is of the common interest, the common good and the public good.
Public Interest Test	requires balancing factors for and against disclosure of each piece of government information

Policy Statement

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* (GIPA) held by it, unless there is an overriding public interest not to do so. When deciding whether to release information, Council will conduct a public interest test, with a presumption in favour of disclosure of information. 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 GIPA. 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.

Document History

Date	Details	Council Meeting Date
1 February 2011	Amendment –change of acknowledgement	06/11
September 2017	Administrative Review	GM Approval
September 2020	Review	CEO
June 2021	Policy Review	CEO/Mayor