

# Access to information policy

Version: 1 | Date effective: 25 February 2025 | Review date: 25 February 2026

## Audience

All staff, including contractors and volunteers.

## Purpose

The purpose of this policy is to set out how the Office will fulfill its obligations in relation to providing access to information under the *Right to Information Act 2009* (RTI Act) and the *Information Privacy Act 2009* (IP Act). The policy also identifies the requirements of staff discharging functions under the RTI Act and IP Act in response to requests for access to information.

## Policy statement

The Office is committed to a pro-disclosure approach to managing the information the Office holds. Wherever possible, information will be released administratively, as a matter of course, unless there is a good reason not to.

While the RTI Act and the IP Act create an enforceable right of access to information in the Office's possession or control (unless the information is exempt, or on balance, access is contrary to the public interest), applications under the RTI Act or IP Act should only be necessary as a 'last resort'.

The legislative intent of the RTI and IP Acts is that they should be administered with a pro-disclosure bias.

## Principles

The following principles guide the interpretation and application of this policy, and the *Access to information procedure*:

Principle	What this means for the Office
<b>Compliant</b>	<ul style="list-style-type: none"><li>The Office complies with the provisions of the RTI and IP Acts</li></ul>
<b>Proactive</b>	<ul style="list-style-type: none"><li>The Office supports a pro-disclosure approach to managing information.</li><li>The Office will proactively publish information (for example, through its website)</li><li>Information will be released under administrative access wherever possible</li></ul>
<b>Responsive</b>	<ul style="list-style-type: none"><li>The Office meets statutory timeframes when responding to applications for access to information</li></ul>

	<ul style="list-style-type: none"><li>Delegates responding to an access application consult with the applicant about their application and update them on progress</li></ul>
<b>Informed</b>	<ul style="list-style-type: none"><li>All staff are informed of their responsibilities relating to access to information</li><li>All staff are aware of how to respond if they receive a request for information</li></ul>

## Requirements

### *Publication scheme*

Section 21 of the RTI Act requires that public sector entities proactively publish information. Publication schemes must meet certain minimum standards, including that information should be easy to access (e.g. published on a website or forwarded promptly by mail or email on request).

The Office will make as much information as possible available through its publication scheme, primarily through publication on the Office's website.

### *Disclosure log*

Our disclosure log includes a list of documents released under the RTI Act which do not include personal information of the applicant. We may include copies of documents that have been released, if this is reasonably practicable, or otherwise, details identifying the document and information about the way in which the document may be accessed may be included in a disclosure log. Certain information cannot be included on the log under the RTI Act (for example, information the publication of which is prevented by law, or information the disclosure of which would unreasonably invade an individual's privacy).

The Office will review the disclosure log published on the website regularly.

### *Administrative access*

Providing administrative access to documents is intended to make it easier, faster and cheaper for people to access some documents from the Office as an alternative to applying under the RTI Act or the IP Act.

Consistent with the Office's commitment to a pro-disclosure approach, requests for information will be managed as administrative access requests wherever possible. People will generally be provided with copies of:

- all the documents they have given to the Office
- all the documents the Office has given to them.

### *RTI and IP applications*

As a public authority, the Office is subject to the RTI and IP Acts. The RTI and IP Acts provide separate schemes for accessing information.

If a person is only seeking access to their own personal information, their application will be dealt with under the IP Act.

If the applicant requests one or more documents that contain no personal information about them their application will be processed in accordance with the RTI Act.

If an applicant is not satisfied with the decision on their access application they can apply for an internal review.

### ***Responding to applications***

The Advisor RTI/IP will administer the processing of applications made under the RTI Act and IP Act, including the receipt, acknowledgement and logging of applications.

As principal officer, the Ombudsman has delegated the power to deal with access applications and internal review applications under the RTI Act and IP Act as set out below.

### ***Records management***

The *Public Records Act 2023* requires the Office to make and keep complete and reliable records of its activities in accordance with the *Records governance policy* (Queensland State Archives).

Records should be stored in accordance with the *Records management policy*.

The Advisor, RTI/IP will maintain statistics for annual reporting.

### ***Human rights considerations***

In implementing this policy and the *Access to information procedure*, the Office will have regard to the right to seek and receive information, and the right to privacy and reputation protected under the *Human Rights Act 2019*.

## **Delegations**

Officer	Authority
<b>Ombudsman</b>	<ul style="list-style-type: none"><li>• approve RTI and IP delegations</li></ul>
<b>General Counsel</b>	<ul style="list-style-type: none"><li>• decide initial and review applications</li></ul>
<b>Advisor, Right to Information and Privacy</b>	<ul style="list-style-type: none"><li>• decide initial applications</li></ul>
<b>Senior Advisor, Governance</b>	<ul style="list-style-type: none"><li>• decide initial and review applications</li></ul>
<b>Assistant Ombudsman</b>	<ul style="list-style-type: none"><li>• decide initial and review applications</li></ul>
<b>Director, Inspections</b>	<ul style="list-style-type: none"><li>• decide initial and review applications</li></ul>
<b>Deputy Inspector</b>	<ul style="list-style-type: none"><li>• decide initial and review applications</li></ul>

<b>Deputy Ombudsman</b>	<ul style="list-style-type: none"><li>decide initial and review applications</li></ul>
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## Definitions

Term / Acronym	Definition
<b>Advisor, RTI/IP</b>	Advisor, Right to Information and Privacy
<b>IP</b>	Information Privacy
<b>IP Act</b>	<i>Information Privacy Act 2009</i>
<b>IPPs</b>	Information Privacy Principles
<b>Office</b>	Office of the Queensland Ombudsman
<b>Ombudsman</b>	Queensland Ombudsman and Inspector of Detention Services
<b>RTI</b>	Right to Information
<b>RTI Act</b>	<i>Right to Information Act 2009</i>
<b>OIC</b>	Office of the Information Commissioner

## Legislation

- Information Privacy Act 2009*
- Public Records Act 2023*
- Right to Information Act 2009*

## Policy documents

Related policy documents:

- GOV-006 2024 PR *Access to information procedure*

## Related documents

- GOV-005 2024 P *Privacy and data breach policy*
- GOV-005 2024 PR1 *Privacy plan*
- GOV-005 2024 PR2 *Data and privacy breach procedure*

## Policy owner

General Counsel

## Approval

Action	Officer	Date
Author	Alex Andrews Advisor, Right to Information and Privacy	19 / 02 / 2025
Endorsed	Christine Jones General Counsel	25 / 02 / 2025
Approved and authorised for external publication	Anthony Reilly, Queensland Ombudsman and Inspector of Detention Services	25 / 2 / 2025

## Document control

Version	Amendment history	Date
1	Draft	13 / 02 / 2025
2	Final	25 / 02 / 2025