

# Administrative access policy

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## 1. Policy statement

This administrative access policy aims to make it easier, faster and cheaper for complainants to access some documents from Queensland Ombudsman (QO) files than under the [Right to Information Act 2009](#) or the [Information Privacy Act 2009](#). Complainants are entitled to administrative access to copies of certain documents held on the QO file which relate to their complaint.

This policy is consistent with the requirements of the [Ombudsman Act 2001](#), the Right to Information Act and the Information Privacy Act.

## 2. Purpose

This policy explains:

- who can apply
- how to apply
- which documents can be applied for via administrative access
- timeframe
- cost
- refusal to deal
- complaints
- how to request other documents.

## 3. Who can apply for administrative access?

Complainants can only apply for access to documents on file/s where they are the complainant. This includes both current file/s and finalised files/s.

Complainants cannot apply for access to file/s where someone else is the complainant, unless they are:

- the parent of a child complainant (unless parental responsibility has been removed by court order); or
- appointed the guardian of a complainant by a court or tribunal; or
- a solicitor or barrister acting for a complainant and your client has provided written authority to access material on their QO complaint file.

## 4. How to apply?

You can lodge your administrative access request by [email](#), [in person](#) or [post](#). Please make your request

'Attention RTI/Privacy Co-ordinator'.

The application should identify which documents are required, including a QO file reference, if available.

A certified copy of a proof of identity document is required. Examples include:

- current driver's licence
- identifying page of current passport
- birth certificate
- prisoner's identity card.

A certified copy means a photocopy certified by a solicitor, barrister or justice of the peace to be a true copy of the original. Information about where to find a justice of peace can be obtained from the [Department of Justice and Attorney-General](#).

If a complainant is unable to provide any of the proof of identity documents listed above, they should provide a statutory declaration from a person who has known them for 12 months or more.

Court or tribunal appointed guardians must provide a copy of the relevant order.

Lawyers acting for complainants must provide a copy of their client's written authority permitting them to access their client's documents held by the QO.

## 5. Which documents can be applied for?

Complainants can apply for administrative access to copies of the following documents:

- all documents supplied by them to the QO
- all documents sent to them by the QO
- documents which are publicly available.

## 6. Timeframe

Applications will be processed and a response sent to the complainant within 20 business days of receiving the application. If files are held off-site, or the request involves a large volume of documents, extra time may be required.

## 7. Cost

In most cases, there will be no charge for access to documents, but the QO reserves the right to charge for photocopying (in line with the Right to Information Act) or for USB devices, if the document size exceeds email limits.

## 8. Refusal to deal

The QO may refuse to deal with an application that is considered unreasonable (e.g. very large volume of information requested or information previously provided).

## 9. Complaints

If an applicant is not satisfied with the release of documents under this policy, they can complain to the QO under the [Complaints management system \(CMS\)](#) and internal review policy and/or they may apply for any extra information under the [Right to Information Act or the Information Privacy Act](#).

## **10. Requests for other documents**

Access to other documents held by the QO is available under the Right to Information Act and/or the Information Privacy Act. General information about how to make information privacy and right to information applications is available from the [Office of the Information Commissioner](#).

## **11. Legislation and references**

- *Right to Information Act 2009*
- *Information Privacy Act 2009*
- *Ombudsman Act 2001.*