Right to Information Procedure

1 Purpose

To identify the process to be followed in enabling the University meet its compliance obligations under the *Right to Information Act (2009) (Qld)* (RTI Act). The procedure outlines the key responsibilities of Enterprise Information Management Services in dealing with the requirements of the RTI Act, including broad guidelines relating to the processing of access requests for information held by the University.

This procedure is pursuant to the University's Right to Information Policy.

2 Scope

This procedure applies across the University and to the public.

Organisations such as student unions/guilds and associated clubs and societies, employee associations and social clubs, and non-controlled entities are excluded for the purposes of the RTI Act.

3 Procedure Overview

This procedure provides a high-level overview of the processes involved in:

- delegation of the Right to Information Coordinator and Decision-maker
- access applications made under the *Right to Information Act 2009 (Qld)* and the *Information Privacy Act 2009 (Qld)* (IP Act)
- maintaining an Administrative Access Scheme, Publication Scheme and a Disclosure Log on the University website - refer Section 7 below.
- mandatory reporting, audit processes, self-assessment reviews and surveys
- training and support to University Members.

4 Procedures

4.1 RTI Coordinator and Decision-maker

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Subject to the limitations of the RTI Instrument of Delegation, the RTI Coordinator and decision-maker and the Senior Manager (Enterprise Information Management) (the authorised officers) will undertake a range of activities to assist the University in meeting its compliance obligations under the RTI Act.

4.2 Access applications

4.2.1 How to apply

All requests for access to information made under the RTI Act and the IP Act must be made, **in writing**, and submitted to the RTI Coordinator and Decision-maker located in Enterprise Information Management Services (O4).

Applicants are encouraged to:

- Use the mandated form available across the Queensland public sector. Refer Section 7 below.
- Discuss their request with the RTI Coordinator and decision-maker, or alternatively, the Senior Manager (Enterprise Information Management) prior to lodgement.

4.2.2 Authorised decision-maker

Only the nominated officers (the authorised officers), as per the RTI Instrument of Delegation, have the legal authority to make a determination or decision on RTI access applications.

4.2.3 Application process

Upon receipt of an RTI access application the authorised officer will, at their discretion, consult with the applicant and relevant senior manager to determine if the requested information could be released, in full or in part, without the need for a formal access application i.e. to explore the possibility of discretionary release under the Administrative Access Scheme.

Each request will be considered on its own merit taking into consideration exempt and Out of Scope Material. On each occasion the authorised officer will refer to the publicly accessible USQ Publication Scheme to determine if information requested may be readily available from that particular source. Refer Section 7 below.

Where discretionary release is not realised the authorised officer will screen all formal access requests and make an initial determination concerning 'which Act' applies for the purpose of processing i.e. under the *Right to Information Act (2009)* or the *Information Privacy Act (2009).*

Requests for access to an **applicant's personal information only**, held by the University, will be referred to the University's Privacy Officer for processing under the IP Act. All other requests will be processed under the RTI Act by the authorised officer.

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The authorised officer has a duty to assist an applicant to make an application which is compliant with the requirements of the RTI Act - s33 refers.

Where applicable, the authorised officer will request University officers to locate, assist and provide relevant documents (in all relevant Document Formats) falling within the scope of the access request to the decision-maker. University officers will be responsible for locating the relevant information held in their cost centres or under their control, making a declaration attesting to the thoroughness of their searches and providing the documents to the decision-maker within the requested timeframe.

In making a determination under the RTI Act the decision-maker will take into consideration the provisions of the RTI Act (including processing timeframes) and relevant guidelines, training materials, previous decisions and other information published by the Office of the Information Commissioner and other relevant jurisdictions.

4.2.4 Application, processing and access charges

- A prescribed application fee is required to commence the RTI process.

  The application fee cannot be waived - section 24(4) of the RTI Act refers.

- Processing and access charges may apply, subject to, the provisions of the RTI Act.

Refer Section 7 below.

4.2.5 Review Rights

If an applicant is dissatisfied with the outcome of a decision they may apply for an internal and/or external review. It is not necessary to have an internal review before applying for an external review. Refer Section 7 below.

4.3 Other responsibilities

The authorised officer under the direction of the Senior Manager (Enterprise Information Management) will be responsible for maintaining and implementing a range of activities to assist the University in meeting its compliance obligations under the RTI Act.

4.3.1 Maintaining the RTI website

The University will maintain an RTI website (refer Section 7 below) and will endeavour to provide relevant and up-to-date information concerning the operation of the RTI Act which is readily and easily accessible to University Members and the public. Relevant links such as a 'Right to Information' footer on the UniSQ Home Page is a mandatory requirement.

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4.3.2 Maintaining a Publication Scheme

The University will maintain a Publication Scheme (refer Section 7 below) on its RTI website which describes and categorises information routinely available from UniSQ. The information is structured and accessible through seven classes (mandatory requirement).

4.3.3 Maintaining a Disclosure Log

The University will maintain an up-to-date Disclosure Log (refer Section 7 below) which provides the information that has been released in response to right to information access applications made under the RTI Act.

The Disclosure Log will **not** include personal information.

4.3.4 Mandatory reporting, audits and reviews

Coordination of a single University response to mandatory RTI & IP reporting, audits, self-assessment reviews and surveys commissioned by the Office of the Information Commissioner will be the responsibility of the authorised officers, in consultation with the Privacy Officer and the Head (University Strategy and Government Relations).

4.3.5 Training and support

Appropriate RTI training programs will be coordinated and delivered by the authorised officers through the University's People Portfolio Learning and Development Program.

The authorised officers will, as required, monitor and attend external RTI training programs and practitioner forums to assist with maintaining an up-to-date knowledge base of the RTI regime.

4.3.6 Policy input

The Senior Manager (Enterprise Information Management) will, as required, provide an appropriate level of input to University policies and other documents where a potential RTI impact is a consideration.

4.3.7 Internal reporting

The Senior Manager (Enterprise Information Management) supported by the Team Leader (Enterprise Information Management Services) will be responsible for the submission of appropriate statistical reports information relating to RTI activity to the Audit & Risk Committee.

4.3.8 External reporting

The Senior Manager (Enterprise Information Management) supported by the Team Leader (Enterprise Information Management Services) and, in consultation with the Privacy Officer, will be responsible for the submission of statutory reports to the Queensland Government relating to

the operation of the RTI Act and IP Act as applicable to the University.

5 References

Queensland Government. Department of Justice and Attorney-General.

University of Queensland; University of Sunshine Coast; James Cook University.

6 Schedules

This procedure must be read in conjunction with its subordinate schedules as provided in the table below.

7 Procedure Information

Accountable Officer	Chief Digital Information Officer
Responsible Officer	Senior Manager (Enterprise Information Management)
Policy Type	University Procedure
Policy Suite	Right to Information Policy
Subordinate Schedules	
Approved Date	26/6/2020
Effective Date	26/6/2020
Review Date	4/7/2019
Relevant Legislation	*Information Privacy Act (2009)* Information Privacy Regulation 2009 *Public Records Act 2023* (Qld) *Right to Information Act (2009)* Right to Information Regulation 2009
Policy Exceptions	Policy Exceptions Register
Related Policies	Administrative Access Scheme Policy Media Engagement Policy

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	Privacy Policy Records and Information Management Policy
Related Procedures	Administrative Access Scheme Procedure Media Engagement Procedure Privacy Procedure
Related forms, publications and websites	Administrative Access Scheme Office of the Information Commissioner (Qld) Right to Information Review Rights USQ Disclosure Log USQ Publication Scheme
Definitions	**Terms defined in the Definitions Dictionary**
	University The term 'University' or 'UniSQ' means the University of Southern Queensland. University Business Days The days of Monday to Friday inclusive between 9am and 5pm Australian Eastern Standard Time (AEST), with the exclusion of gazetted Public Holidays for the relevant campus location, plus the closure of the University between 25 December and 1 January in the following year inclusive as specified in the Enterprise Agreement, as well as any closure of the University either at one or several campuses in accordance with a direction of the Crisis Management Team. University Members Persons who include: Employees of the University whose conditions of employment are covered by the UniSQ Enterprise Agreement whether full time or fractional, continuing, fixed-term or casual, including senior Employees whose conditions of employment are covered by a written agreement or contract with the University; members of the University Council and University Committees; visiting, honorary and adjunct appointees; volunteers who contribute

to University activities or who act on behalf of the University; and individuals who are granted access to University facilities or who are engaged in providing services to the University, such as contractors or consultants, where applicable.

Definitions that relate to this procedure only

Administrative Access

Discretionary release of requested information outside of the formal Right to Information (RTI) and Information Privacy (IP) process.

Document

Section 12 of the RTI Act defines a document as:

“a document, other than a document to which the RTI Act does not apply, in the possession, or under the control, of the agency (University) whether brought into existence or received in the agency (University) and includes -

(a) a document to which the agency (University) is entitled to access; and

(b) a document in the possession, or under the control, of an officer of the agency (University) in the officer's official capacity.”

Document Format

Documents may be in a range of formats including, but not limited to:

- paper (hard copy), electronic or microfilm
- files, maps, plans, drawings, photographs
- data from University systems or databases or on standalone drives including hard drives, back-up, and USB sticks
- emails, text messages and word-processed documents
- audio or video media such as cassettes and video tapes or electronic recordings
- optical media such as CDs and DVDs

Out of Scope Material

	Documents containing information which will not be released includes: • information that is prohibited under law; • information that is irrelevant; • information that is exempt under the RTI and IP Acts;
Keywords	RTI, Right to Information, informal access, IP, Information Privacy
Record No	14/496PL

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