MINUTES ATTACHMENTS 11 FEBRUARY 2025



•	1 Repeal of Right to Information Policy & Procedure			
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•	2 Repeal of Information and Communications Technology (ICT) Policy			
	Attachment 1	Information and Communications Technology (ICT) Policy		

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Version Control and Objective ID	Version No: 1	Objective ID: A5553026
Adopted at Council Ordinary Meeting on	28 October 2019	
Date of Review	28 October 2023	

#### 1. Statement

In accordance with the *Right to Information Act 2009* (the Act), Ipswich City Council (Council) is responsible for administering the right of access to information in the possession of Council or under Council's control unless, on balance, it is contrary to the public interest to give the access.

#### 2. Purpose and Principles

Ipswich City Council is committed to openness and transparency through the proactive release of information to the community through its public forums and will be regularly building on the number of documents available through Council's Publication Scheme through continuous assessment of new and existing information.

Council's Publication Scheme has been developed to give the community greater access to information held by Council, without the need to complete an application or pay a fee.

Access to these documents is available on Council's website at www.ipswich.qld.gov.au.

Council's Publication Scheme and administrative access considerations are important means of ensuring formal access applications are a last resort in avoiding unnecessary processes and costs for applicants and Council.

However, should particular information not be publicly available, a Right to Information application may be completed requesting copies of documents upon payment of a fee.

#### 3. Strategic Plan Links

This policy aligns with the following iFuture 2021-2026 Corporate Plan theme:

• A Trusted and Leading Organisation

# 4. Regulatory Authority

Right to Information Act 2009 Right to Information Regulation 2009 Information Privacy Act 2009 Information Privacy Regulation 2009 Public Records Act 2002

#### **IPSWICH CITY COUNCIL | Right to Information Policy**

#### 5. Human Rights Commitment

Ipswich City Council (Council) has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when adopting and/or amending this policy. When applying this policy, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

#### 6. Scope

All elected representatives and Council officers (regardless of their employment status ie full time, part time, casual, contract or volunteer) have a role to play in the management of records to ensure that Council's Right to Information officers have the ability to satisfy the requirements of the *Right to Information Act 2009* when processing applications.

# 7. Roles and Responsibilities

- (a) The Chief Executive Officer is the principal officer of Council and is responsible for dealing with applications under the *Right to Information Act 2009*. The Chief Executive Officer may delegate the power to deal with the application to another officer, being Council's Right to Information (RTI) Officer/s.
- (b) The RTI Officer/s have the primary responsibility for:
  - Being Council's First Point of Contact for RTI applicants;
  - Initial assessment of all RTI applications to ensure that the information requested is not already publicly available to the applicant;
  - Liaising with Council's departments regarding access to documents, either administratively or under the *Right to Information Act 2009*;
  - Making decisions regarding the release of documents within the time periods stipulated in the Act;
  - Provision of a formal written response to the applicant.
- (c) General Managers are responsible for ensuring:
  - Employees under their supervision are aware of their record keeping responsibilities
    through the completion of Record Keeping and Information Privacy training to ensure
    records are created and managed appropriately;
  - Any assistance necessary is provided to the RTI Officer/s when searching for records within the Department's responsibility;
  - That a written statement is provided to the RTI Officer/s should information not be able to be located. This statement must include an acknowledgment that all reasonable steps have been taken to locate the information.
- (d) All Council employees are responsible for ensuring that they:
  - Maintain all records within their workspace in accordance with Council's Record Keeping Policy;
  - Maintain the integrity of Council's Information Privacy requirements;
  - Provide assistance to the RTI Officers to ensure that any request for the provision of information is handled with priority to ensure that legislated timeframes are met.

#### **IPSWICH CITY COUNCIL | Right to Information Policy**

#### 8. Key Stakeholders

N/A

#### 9. Independence of Decision Maker

Under the *Right to Information Act 2009* (the Act), the decision maker is to be independent. It is an offence under the Act to give oral or written direction to a decision maker that the decision maker does not think should be made. All officers mentioned in "Item 5 – Scope" above need to be aware that it is an offence to act in contravention to the requirements of the Act (refer s.175).

#### 10. Review Rights

An applicant has the right to request a review of Council's decision if they do not agree with the response. There are two (2) avenues available:

# <u>Internal – Council Revi</u>ew

A request for a review must be provided to Council, in writing, within twenty (20) business days from the date stated on the decision notice. The Chief Executive Officer has the power to delegate the review of this application to an officer who is to be no less senior than the original decision maker. The reviewing officer is required to remake the decision with fresh eyes. There are no additional charges to the applicant for this review to be undertaken.

#### **External – Office of Information Commissioner**

An applicant has the option to either:

- Firstly apply to Council for an internal review of its written decision and then make a further application to the Office of Information Commissioner if they still do not agree with Council's decisions; or
- Forego the opportunity of an internal Council review and apply directly to the Office of Information Commissioner for an external review.

Details of how to apply for an external review are available on the OIC's website at <a href="https://www.oic.qld.gov.au">www.oic.qld.gov.au</a>

#### 11. Monitoring and Evaluation

- Council maintains a pro-disclosure bias, ensuring every opportunity is taken to make
  publicly available as much information as possible with regard to the operations of the
  organisation.
- Council ensures that all staff receive regular training to identify their obligations with regard to accurate and confidential record keeping in line with all relevant legislation and Council policies.
- Internal staff have access to a "one source of truth" intranet site titled Legislative Compliance, hosted by the Legal and Governance Branch.
- That the community are provided with an opportunity to make application to access information held by Council, that is not publicly available, through the Right to Information process.

# **IPSWICH CITY COUNCIL** | Right to Information Policy

# 12. Definitions

N/A

# 13. Policy Owner

The General Manager (Corporate Services) is the policy owner and the Corporate Governance Manager is responsible for authoring and reviewing this policy.



Version Control and Objective ID	Version No: 3	Objective ID: A6648707	
Name of parent policy/administrative directive	Right to Information Policy		
Approved by General Manager on	19 February 2021		
Date of Review	19 February 2025		

## Background

This procedure relates to Ipswich City Council's (Council) administration and decision making responsibilities in relation to Right to Information applications. It demonstrates how Council will improve its processes in relation to public access of government information as well as encouraging openness and accountability to the public, whilst protecting individual privacy and other public interest issues. Council will perform the administration of Right to Information applications in accordance with the Right to Information Act 2009 (the RTI Act) and Information Privacy Act 2009 (IP Act) and their supporting Regulations.

#### 2. Purpose

The purpose of this procedure is to:

- assist Council's Right to Information (RTI) administration by designating Officers to accept responsibility for decision making processes under the RTI legislation.
- ensure Council acts within the legislation by appointing a senior member of Council management to conduct internal reviews of decisions made under the provisions of the Act.
- set guidelines for administration of the RTI Act.
- maximise publication of Council information and data.
- allow easy access to Council information.
- protect individual privacy and other public interest issues.

# 3. Regulatory Authority

Local Government Act 2009

Right to Information Act 2009

Information Privacy Act 2009

Right to Information Regulation 2009

Information Privacy Regulation 2009

Public Records Act 2002

Right to Information Act 2009 Sub-delegation

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#### 4. Human Rights Commitment

Council has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when approving and/or amending this procedure. When applying this procedure, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

#### 5. Roles and Responsibilities

All positions listed on the Right to Information Sub-delegation are responsible for understanding and implementing this procedure.

#### 6. Key Stakeholders

Applications for access to Council information made under the provisions of the Right to Information Act 2009 will be dealt with in accordance with Council's delegation recorded in the Council delegations register.

# 7. Education and Training Requirements

The delegated Right to Information officer will undergo comprehensive Right to Information and information Privacy Training to ensure compliance to legislation and informed decisions regarding release of information.

#### 8. Procedure

N/A

#### 9. Monitoring and review

Monitoring and review of this procedure and legislative compliance will be designated to officers of the Corporate Services Branch.

To achieve this, Council will:

- develop a culture open to release of information by encouraging a more transparent method
  of disclosure and educating the organisation about the principles contained in the legislation.
- establish and maintain means for the public to access useful information i.e. disclosure logs,
   Council's Publication Scheme and Transparency and Integrity Hub.
- build on the number of documents and data sets proactively released through the continuous assessment of new and existing Council information and data that can be made publicly available.
- develop RTI Act and IP Act performance measures to monitor Council's performance in:
  - making more information available to the public,
  - protecting personal information
  - providing people a right of access to and amendment of their personal information.
- report quarterly to Council on our performance in meeting the objectives of the RTI Act and IP Acts and posting quarterly performance outcomes on Council's 'Accessing Information' webpage.

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- maintain tracking data of persons seeking information via publication schemes including individuals, companies, journalists, community groups, politicians, legal representatives, agents or government agencies and utilising data for reporting purposes.
- ensure administrative delegations in relation to RTI functions are clearly defined and updated along with a clear authorisation process.
- appoint person/s responsible for maintaining systems for recording, tracking, monitoring and reviewing RTI applications.
- appoint a senior officer to conduct internal reviews on reviewable decisions.
- utilise redaction technology to assist in decision making processes.
- conduct regular training for Council staff including new staff regarding Council's RTI's policy, procedure and principles ie. via Council induction.
- formulate a complaints handling process to identify opportunities for improvement and implementing performance management tools to monitor effectiveness of RTI privacy functions.
- undertake sufficient search processes and encourage efficient and accurate record keeping to avoid unnecessary non-disclosure.
- follow relevant procedures to transfer information outside Australia in accordance with Section 33 of the IP Act.
- provide assistance to applicants in clarifying request issues, entering into open and responsive communications and ensuring decisions are made and delivered promptly with timelines adhered to as best as practicable.
- utilise established checklists of steps for each application, as well as standard precedents and work instructions for processing fees, seeking proof of identity, issuing charges, schedules of documents, notices and decisions.
- track timeframes for handling charges, providing decisions and seeking relevant extensions of time.
- follow third party consultation procedures and adjust timelines accordingly.
- make qualified decisions regarding applications outside scope of the RTI Act and provide notification to applicants as necessary regarding refusal or amendments sought. This includes employing the Public Interest Test to determine public interest or harm issues.
- undertake a yearly internal review process ensuring procedures are in place to provide for tracking of timeframes and timely notification to applicants as well as utilising prescribed written notices of results including reasons for decisions.
- adhere to the privacy principles set out in the IP Act in relation to protection of personal
  information including use, handling, collection and disclosure of personal information.
- establish security safeguards for personal information to protect against loss, misuse or inappropriate disclosure of sensitive or personal information.
- utilise appropriate processes to ensure personal information is correct and up to date and that disclosure is appropriate.

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 utilise appropriate and lawful methods for collecting, storing and disposal of documentation containing personal information.

#### 10. Related documents

N/A

# 11. Definitions

N/A

#### 12. Process Model

N/A

# 13. Procedure Owner

The General Manager (Corporate Services) is the procedure owner and the Corporate Governance Manager is responsible for authoring and reviewing this procedure.



# INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT) POLICY

Document No: A4280178

#### 1. Objectives:

The objective of this governing Policy is to ensure the Information and Communications Technology (ICT) Branch enables the delivery and ongoing support of ICT services. These services align to Ipswich City Council objectives and assist in the delivery of its service to the community.

#### 2. Regulatory Authority and Related Standards and Policies:

- Relevant Local, Queensland and Federal legislation
- Queensland Government Information Standards and Frameworks
- International, Australian and Industry Standards (various information, technology and security standards)
- Ipswich City Council Corporate Plan
- Ipswich City Council Code of Conduct
- Ipswich City Council Contract Management Framework
- Ipswich City Council ICT Strategy
- Ipswich City Council ICT Information Security Guidelines and Directives
- Ipswich City Council ICT Governance Framework

# 3. Policy Statement:

Ipswich City Council is committed to ensuring the provision and availability of ICT services to efficiently perform Council functions and improve the effectiveness with which Council serves the community. This will be achieved by:

- Delivering strategically aligned solutions in accordance with Council's Corporate Plan.
- Aligning the ICT architecture and plans with business priorities and ensuring ICT resources are deployed appropriately to fulfil approved demand for ICT services.
- Developing ICT services that provide sustainable value to the business by maximising benefits and minimising delivery risk.
- Following appropriate governance to ensure consistent and efficient service delivery.
- Administering controls to ensure that Council's data and information is effectively managed to maintain appropriate confidentiality, integrity and access.
- Ensuring ICT assets and their interrelationships are appropriately managed throughout their service lifecycle.
- Ensuring ICT services are designed, maintained and delivered in accordance with best practice service levels.

To support and achieve these commitments, Council is dedicated to maintaining the ICT Governance Framework which sets out the requirements for users.

Failure to comply with this Policy or Related Standards and Policies, outlined in Section 2 above, may result in the referral of the matter to Human Resources for disciplinary action or for more serious offences or breaches, referral to law enforcement for investigation or prosecution.

#### 4. Human Rights Commitment

Ipswich City Council (Council) has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when approving and/or amending this policy. When applying this policy, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

#### 5. Scope:

This Policy applies to all employees, contractors, consultants, and other workers who use Information and Communications Technology supplied by Council. This Policy also applies if equipment or services are used or accessed remotely.

#### 6. Roles and Responsibilities:

All employees, contractors, consultants, and other workers who use Information and Communications Technology supplied by Council are responsible for reading, understanding and complying with this Policy and the ICT Governance Framework.

Managers and Team Leaders should make their staff aware of the requirements of this Policy and the ICT Governance Framework noting the consequences of a failure to comply or direct non-conformance with the compliance requirements. Where a Manager requires clarification of the requirements they should direct their inquiry to the ICT Branch Manager.

# 7. Policy Author:

The Information and Communications Technology Manager is responsible for the maintenance of this Policy.

Date of Council Resolution: 25 July 2017

**Committee Reference and Date:** Policy and Administration Board No. 2017(06) of 11 July 2017 - City Management, Finance and Community Engagement Committee No. 2017(07) of 17 July 2017

No. of Resolution: 1

Date to be reviewed: 25 July 2019