

Policy 6.12 Access to Information

Directorate	Business and Governance
Responsible Officer	Director Business and Governance

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1.1 Introduction

The access to information policy relates to how members of the public can access records and how information is collected and stored by council officials.

1.1.1 Scope

This policy prescribes the processes implemented to facilitate and manage the processing of requests for access to government and personal information across all functions of Bega Valley Shire Council (BVSC) and applies to all staff, Councillors, contractors, and volunteers of Bega Valley Shire Council.

1.1.2 Purpose

To provide a consistent, open and transparent means of providing timely access to information held by BVSC, taking into account the privacy rights of individuals and the constraints and obligations prescribed by applicable legislation.

1.2 Definitions

Nil

1.3 Legislation

- *Local Government Act 1993*
- *Government Information (Public Access) (GIPA) Act 2009*
- *Government Information (Public Access) Regulation 2009*
- *Privacy and Personal Information Protection (PPIP) Act 1998*
- *Health Records and Information Privacy Act (HRIP) 2002*
- *Environmental Planning and Assessment Act 1979*
- *NSW State Records Act 1988*
- *Copyright Act 1968*

1.4 Implementation

1.4.1 Policy Statement

Bega Valley Shire Council will address the matter of 'Access to Information' in a systematic manner by:

- Routinely and proactively releasing information to the public via physical outlets as well as on council's website.
- Publishing information classified as "open access" documents on BVSC's website free of charge.
- Allowing public inspection of Council documents, free of charge or at the lowest reasonable cost in accordance with relevant legislative requirements.
- Providing a process for formal applications to access information using Procedure 6.12.2 – GIPA Act Guidelines.
- Providing access to information according to the procedures listed in this policy with consideration to Council's obligations under the *Government Information Public Access (GIPA) Act 2009*, the *Privacy and Personal Information Protection (PPIP) Act 1998*, and other relevant legislation.

1.4.2 Responsibilities

1.4.2.1 Elected Council

All Elected Officials (the “Councillors”) must adhere to the provisions of the Code of Conduct as well as the Administration of the Model Code of Conduct. A part of these requirements details access to information and record-keeping. To help make sure these requirements are met, Councillors are provided procedures on their record keeping requirements.

1.4.2.2 Chief Executive Officer (CEO), Leadership Executive Group (LEG)

The CEO must ensure appropriate record keeping systems and protocols are implemented across the organisation and will encourage consistent, open and transparent provision of information to the community.

The CEO will delegate responsibilities to staff to determine applications under the GIPA Act, and will be the Principal Officer; undertaking internal reviews of any Notices of Decisions as directed by the Information and Privacy Commissioner or as requested by members of the public under the *Government Information Public Access (GIPA) Act 2009*.

1.4.2.3 Director Business and Governance

Oversee Council’s record keeping and document management processes to ensure the community has access to documents considered open access under the GIPA Act. The Director of Business and Governance will also receive and process formal requests for information under the GIPA Act in their capacity as the organisation’s Public Officer.

1.4.2.4 Public Officer

The public officer will receive and process formal requests for information under the GIPA Act and issue Notices of Decisions in accordance with the Act as well as Council’s GIPA Act Guidelines. Supporting documents

1.5 Supporting documents

1.5.1 BVSC Procedures that relate to this Policy

Procedure No.:	Procedure Name	External or Internal Procedure
6.12.01	Government Information Public Access Act (GIPA) Guidelines	External
6.12.02	Privacy management plan	External
6.12.03	Privacy code of practice	External
6.12.04	Copyright management plan	External
6.12.07	Public Interest Disclosures (PID) internal reporting system	External
6.02.08	Record keeping requirements for Councillors	External
6.02.1	Code of Conduct	External

1.5.2 BVSC Policies that Relate to this Policy

Policy No.:	Policy Name
4.09	Families and children
6.02	Behaviour of Councillors and staff
6.11	Records Management

Note: Policy details may change from time to time. To ensure you are viewing the most recent version please view Council's adopted Policies and Procedures on Council website:

Under Review