



Policy Title	Access to Information Policy
Policy Category	Public
Number & Version	SVC-COR-PO-063-01
Policy Owner	People, Culture and Governance
Approval by	Council
Effective date	
Date for review	September 2020

1. STRATEGIC PURPOSE

To provide an overview of Snowy Valleys Council's (Council) principles regarding public access to information under the Government Information (Public Access) Act 2009 (GIPA Act) and to facilitate access to records held by Council to members of public and other third parties.

2. POLICY STATEMENT

Council is committed to being an open and accessible organisation. Managing and providing documents and information to the public is a complex issue. Council's obligations are two fold, those being a responsibility to the public in providing government information upon request and abiding by legislation in respect to access and privacy.

Council will use the following principles regarding public access to information:

- Open and transparent governance;
- Consideration of overriding public interest in relation to access requests;
- Proactive disclosure and dissemination of information;
- Respect for the privacy of individuals.

This policy explains Council's principles regarding access to Council held information and Council documents together with facilitating the timely processing of requests for such access. This policy is to be read in conjunction with Council's *Information Guide*.

All Council Officers are responsible for providing access to records held by Council, to members of the public and other third parties.

3. DEFINITIONS

Information – (also known as Government Information) means information contained in a record held by Council.

Record – is taken to be the same meaning contained within the GIPA Act under schedule 4 clause 10, as follows:

“record means any document or other source of information compiled, recorded or stored in written form or by electronic process, or in any other manner or by any other means”

Document/s - in the context of this policy refer to any information held on an official Council file or database, as well as informal files or databases maintained by Council Officers or Councillors.

4. CONTENT

On 1 July 2010, Section 12 of the Local Government Act 1993 (LGA) and Freedom of Information Act 1989 (FOI) were replaced with the Government Information (Public Access) Act 2009 (GIPA) to provide a general right of access to information held by Council.

The introduction of the GIPA Act brings local authorities fully under the provisions of open government information access and Privacy and Personal Information Protection Act 1998 (PPIPA).

The objectives of the GIPA Act are:

- To encourage the proactive release of government information by agencies;
- To give members of the public an enforceable right to access government information; and
- To restrict access to government information only when there is an overriding public interest against disclosure.

Documents required by law to be available for public inspection will be posted on the website, unless to do so would impose an unreasonable additional cost to Council.

Other Council documents not posted on the website will be available for inspection unless disclosure is contrary to public interest.

Council is not required to make government information available in any way that would constitute a breach of copyright.

Council has published an *Information Guide* to assist members of the public in understanding the information available from the Council and how they can access that information. This document is published on the Council website.

Access to information held by Council will be processed in accordance with the *GIPA Act* and conducted in good faith.

There are a number of internal procedural documents that support this policy and the provision of information.

Limitations

Broad requests to access an excessive number of unspecified documents, which if processed, would divert substantial resource from dealing with other requests, or performing other tasks and functions, may:

- incur a cost as specified in Council's *Fees and Charges* or;
- be refused on the grounds that they are a diversion or;
- is contrary to public interest.

5. ASSOCIATED LEGISLATION

Government Information (Public Access) Act 2009 (GIPA Act)
 Government Information (Public Access) Regulation 2019
 Freedom of Information Act (FOI) 1989
 Local Government Act 1993
 Privacy and Personal Information Protection Act (PPIPA) 1998

6. ASSOCIATED COUNCIL DOCUMENTS

Information Guide – SVC-EXE-Gdl-001
 GIPA Application Processing Procedure – SVC-COR- PR- 036 - 01

7. HISTORY

Date	Action	Name	Policy Number	Resolution Number	Resolution date
2.8.2019	Superseded	Access to Information (former Tumut)	Gov.20		
	Superseded	Access to Council Documents incorporating the Procedure	TSC-COR-PO-057-02		