

OP8112 - Right to Information RTI Policy

Document Owner	Chief Financial Officer
Document Author	Information Management Lead
Supporting Legislation and Documents	Right to Information Act 2009 (Qld) Right to Information Regulation 2009 (Qld) Information Privacy Act 2009 (Qld) Information Privacy Regulation 2009 (Qld)
Documents Directly Related	OP8109 - Documents and Records Management Policy Pr8319 - Right to Information and Information Privacy Procedure <u>Related training:</u> <ul style="list-style-type: none"> 1EINF19ST - Information Security Awareness Module (UW) 1EPRT117ST - Privacy and right to Information Module (UW)

1. Introduction

For the purposes of the *Right to Information Act 2009*, Unitywater is defined as an agency which operates commercially for and in the public interest. The *Right to Information Act 2009* extends the right of an individual to have access to information held by Unitywater or under Unitywater's control unless disclosure is contrary to the public interest.

2. Purpose

The purpose of this policy is to state Unitywater's compliance with the *Right to Information Act 2009*.

This policy forms part of the learning content in uLearn modules:

- 1EINF19ST - Information Security Awareness Module (UW); and
- 1EPRT117ST - Privacy and right to Information Module (UW).

3. Roles and Responsibility

This Policy applies to all Unitywater team members.

4. Definitions

To access the Unitywater Definition library click [here](#). If definitions are provided below, it means either the word and/or acronym is:

- not contained within the definition library; or
- has a different meaning in the context of this document.

Term	Meaning
Agency	As defined by s.17 of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> which provides: "A distributor-retailer is taken to be an agency under the <i>Right to Information Act 2009</i> ". (Unitywater is a distributor-retailer).

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Term	Meaning
Document	As defined by the <i>Right to Information Act 2009</i> , means a document other than a document to which this Act does not apply, in the possession of or under the control of Unitywater whether created or received by Unitywater. Documents may be in hard copy or electronic format, including files, reports, emails or other correspondence, computer printouts, maps, plans, photographs and recordings. Unless specifically requested, metadata about the document is not included.

5. Policy Statement

In accordance with the *Right to Information Act 2009*, Unitywater is committed to providing access to information held by Unitywater where it is appropriate to do so.

6. Intent

6.1 Information available and accessing information

In accordance with the *Right to Information Act 2009*, Unitywater is committed to:

- a. Making accessible to the public for inspection and purchase, copies of its policy documents. However, Unitywater is not prevented from redacting or deleting exempt information or contrary to the public interest information from a copy of a policy document;
- b. Publishing a scheme (a publication scheme) setting out the classes of information that Unitywater has available;
- c. Publishing the terms on which it will make the information available including any charges;
- d. Processing applications within the timeframes set out in the *Right to Information Act 2009*; and
- e. Making accessible to the public, a disclosure log that provides details of non-personal information released under the Act, that is of significant interest to the wider public.

In accordance with the *Information Privacy Act 2009*, Unitywater extends the right of an individual to apply for access to or amendment of documents that contain their own personal information. Access to the documents is subject to a test against certain exemptions or factors that are contrary to the public interest.

6.2 Responsibility/decision making

Under the *Right to Information Act 2009*, the Chief Executive Officer is the “principle officer” responsible for determining the outcome of Right to Information (RTI) applications. The Chief Executive Officer has delegated this power to the RTI Officer, the EDRMS Support Team Leader.

The EDRMS Support Team Leader is responsible for making initial decisions regarding release of documents within the time periods stipulated in the *Right to Information Act 2009*. In this capacity, the EDRMS Support Team Leader will:

- a. Deal with prospective applicants and liaise with Unitywater business units regarding access to documents;
- b. Ensure information released under RTI applications is assessed for wider public interest; and
- c. Make public information disclosed via RTI access applications, if deemed suitable (the information is to be released after a minimum of 24 hours has passed and no later than 30 days from the date of release to the applicant).



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The Chief Executive Officer provides authority to Executive Managers and the Manager Communications & Engagement to release and manage information in conjunction with the RTI Officer including:

- a. The authority to apply the public interest test; and
- b. The responsibility to ensure information published under *Right to Information Act 2009* is regularly reviewed.

Guidelines for decision making with respect to the *Right to Information Act 2009*, in particular the public interest test, is at <https://www.oic.qld.gov.au/guidelines>.

6.3 Review/appeal

The Chief Executive Officer or delegate, as the Review Officer, is responsible for the formal internal review of decisions made by the RTI Officer (EDRMS Support Team Leader) if requested by the applicant on appeal. An applicant may request further review by the Queensland Right to Information Commissioner.

6.4 Fees and charges

Fees and charges for formal applications, processing and access provision are applied as specified in the *Right to Information Regulation 2009*.