



BANANA SHIRE COUNCIL

Procedure

TITLE	ADMINISTRATIVE ACCESS PROCEDURE
RELATES TO POLICY	ADMINISTRATIVE RELEASE OF INFORMATION POLICY
APPROVED BY CEO	Executive Management Team Meeting 5/12/16
REVIEWED/AMENDED	

SCOPE

Information under the control of Council excluding information:

- available by Legislative Access or
- available on Council's website or
- open to inspection at Council's Offices.

OBJECTIVE

To allow access to information through a streamlined process which is a quicker and easier process than the formal Right to Information or Information Privacy application process.

DEFINITIONS

Administrative Access

Release of information by means other than through a formal access application under RTI or IP.

CEO, Chief Executive Officer

The Chief Executive Officer of Banana Shire Council

Council

Banana Shire Council

IP

Information Privacy Act 2009

RTI

Right to Information Act 2009

WHO CAN APPLY?

Anyone can apply for information under Administrative Access.

In most cases the Administrative Access Scheme is mainly useful for applicants who require access to their own personal information.

There is no guarantee that access will be given under this scheme.

FEES AND CHARGES

There is no application fee with regards to an Administrative Access request, however Council has the right to impose fees for reproducing or providing access to the information

WHAT MAY BE ACCESSED?

Any information, as long as it is not exempt information, may be accessed under this scheme.

Council may blank out (redact) some information before providing it. This is done to protect other people's privacy or to protect confidential information.

WHAT IS NOT ABLE TO BE ACCESSED?

The following information will not be released under this scheme:

- Information that is prohibited from release under law
- Information that is exempt under the *Right to Information Act 2009* and the *Information Privacy Act 2009* i.e.
 - Information the disclosure of which would, on balance, be contrary to the public interest – (Council Budgetary Information, possible Contempt of Court, Legal Professional Privilege, Breach of Confidence, prejudice the receipt of information for Law Enforcement or Public Safety purposes)
 - information that would identify individuals
 - information that could reasonably be expected to prejudice the private, business, professional, commercial or financial affairs of entities
- Information in draft form
- Information that is no longer readily available as it has been archived or is difficult to access for similar reasons.

TYPES OF INFORMATION REQUESTS

Examples of the types of information collected and held by Council that may be released under this scheme include,

- Copies of the applicants own personal information, e.g. copy of correspondence the applicant sent to Council or received from Council (this is subject to proof of identity)
- Fact Sheets
- Community Events Information
- Public Notifications for Development Applications
- Statistics and costs regarding Council's Service Delivery

PRIVACY

Council is committed to protecting the privacy of its clients' information and only releases information that Council is authorised to release.

To ensure that only authorised people receive information, Council may ask a series of questions to verify the applicant's identity.

PROCEDURE

Application

Applications can be made:

- in writing,
- by email,
- in person or
- over the telephone.

Requests must include

- the applicant's
 - full name and
 - contact details,
- details about the information being requested.

Request for copies of the applicant's own personal information must be signed.

Email requests must include a scanned attachment containing the applicant's signature attesting to the request.

Release of Information

Council may refuse to deal with an application that does not meet these requirements or is unreasonable e.g. very large amounts of information or request for information previously provided.

Council reserves the right to refuse access under the Administrative Access Scheme and to refer the applicant to the more formal Right to Information or Information Privacy process.

OTHER WAYS TO ACCESS INFORMATION

Council is proactive in disclosing information. Many council documents are readily available on Council's web site.

Access to information can also be made by:

- submitting an application under
 - *Right to Information Act 2009* and

- *Information Privacy Act 2009*
- Subpoena

REVIEW RIGHTS

Application under the Banana Shire Council Administrative Access Scheme should be considered in the first instance however there are no review right under this scheme.

A further or alternative application may be made under the RTI or IP as appropriate.

APPROVED



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**CHIEF EXECUTIVE OFFICER
BANANA SHIRE COUNCIL**

4-6-17
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DATE