

## 1 Background

The Freedom of Information Act 1982 identifies the need for the Corporation to provide access to authorised information to the community when requested through appropriate means.

## 2 Purpose

The purpose of this policy is to ensure the Corporation recognise and abide by the provisions of the Freedom of Information Act 1982.

## 3 Definitions

For the purposes of this policy only, the following shall mean:

**Document:** shall mean, in addition to a document in writing:

- a) any book map plan graph or drawing;
- b) any photograph;
- c) any label marking or other writing which identifies or describes anything of which it forms part, or to which it is attached by any means whatsoever;
- d) any disc, tape, sound track or other device in which sounds or other data (not being visual images) are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced there from;
- e) any film negative tape or other device in which one or more visual images are embodied so as to be capable (as aforesaid) of being reproduced there from;
- f) anything whatsoever on which is marked any words figures letters or symbols which are capable of carrying a definite meaning to persons conversant with them;
- g) but does not include such library material as is maintained for reference purposes.

**Exempt Document:** shall mean:

- a) a document which, by virtue of a provision of Part IV under the Freedom of Information Act, is an exempt document;
- b) official document of a Minister that contains some matter that does not relate to the affairs of an agency or of a department;
- c) extract from Freedom of Information Act 1982 – Definitions.

**DELWP:** Department of Environment, Land, Water and Primary. (State Government of Victoria.)

**FOI:** Freedom of Information.

**HP Records Manager (HPRM):** Corporation document management system.

## 4 Policy

The Corporation is committed to the principles of openness, accuracy, accountability and responsibility which underpin the *Freedom of Information Act 1982*.

The *Freedom of Information Act 1982* places obligations on public authorities to:

- Make information about policies, structure and activities publicly available;
- Provide access to documents upon request, subject to limited exceptions;
- Provide individuals with the opportunity to ensure that information held about them is accurate.

- a) The Corporation shall abide by the provisions of the Freedom of Information Act 1982 and other applicable rules and regulations where a request for information is sought.
- b) The Corporation shall appoint a Freedom of Information (FOI) Officer for the processing of any Freedom of Information requests pursuant to the Freedom of Information Act 1982 and other applicable regulations.
- c) Where a request for information is sought, through the provisions of the Freedom of Information Act 1982, the Corporation shall:
  - Ensure any information passed is not classified as an Exempt Document under the provisions of the Freedom of Information Act 1982 (Part IV);
  - Ensure that documents and/ or information are made available as soon as practicable;
  - Ensure that documents and/ or information that are made available are in a format that satisfies and/ or does not inconvenience the requester.
- d) Certain documents or parts of documents are exempt, which means that they would not be released outside the Corporation. This includes information relating to:
  - The business affairs of individuals or organisations;
  - The conduct of research;
  - The personal affairs of individuals;
  - Confidential matters;
  - Internal working documents;
  - Personal information that identifies a person or their address (*as per amendment to the Freedom of Information Act in December 1999*).
- e) Where an application relates to information concerning the applicant's personal affairs, no application fee or charges are imposed. In all other cases, an application fee is payable.
- f) An applicant who is dissatisfied with a determination about the release of information or amendment of records may apply to the Corporation for a review of a determination. Applicants who remain dissatisfied following an internal review have the right to apply to the Ombudsman for a review of the decision.

## 5 Responsibilities

### In the case of a request from a Member of Parliament or the media:

Under DELWP Instruction of 24<sup>th</sup> August 2007, all Boards of Water Corporations are to have a nominated Board Member for FOI Matters. The **Chair of the Board** is South Gippsland Waters' Responsible Board Member. In his/her absence, the **Deputy Chair** would be responsible (refer to HPRM Documents 2007/07899, 2008/03701 and 2008/09575). The Minister is to be advised five days prior to any response being sent.

The **General Manager Corporate Services** in liaison with the FOI Officer, is responsible for making determinations about release of documents, charging of fees and amendment of records in accordance with the provisions of the FOI Act.

The **FOI Officer (Communication and Executive Liaison Officer)** is responsible for the processing of any Freedom of Information requests pursuant to the Freedom of Information Act 1982 and other applicable regulations.

**All staff** are responsible for seeking advice from the General Manager Corporate Services prior to the release of any documentation outside the Corporation. Any request for information should be directed to the Community Relations Department.

## 6 References

Freedom of Information Act 1982 (*including amendments*)

# Freedom of Information Policy



This document is to be reviewed in **April 2015** or earlier as required.  
This document must not be released to external parties without approval by the  
Managing Director.

DOCUMENT APPROVAL		
Board Approval:	Meeting No.: 250	Date: 28/04/2016
A&RM Committee Approval:	Meeting No.: 101	Date: 24/03/2016
Senior Management Approval:	Meeting No.: 495	Date: 10/02/2016
Managing Director Signature:		