

Administrative Access Scheme Policy

Purpose

This *Administrative Access Scheme* (the scheme) is a key component of Office of Industrial Relations' *Information Access Framework* (the framework). The framework demonstrates the Office of Industrial Relations' commitment to an open and transparent approach to information access by bringing together the strategies established by government to promote access to public sector information.

Audience/Scope

This policy applies to all permanent, temporary, contract and casual employees of the Office of Industrial Relations (OIR) (full-time or part-time).

Policy statement

The *Right to Information Act 2009* (RTI Act) and the *Information Privacy Act 2009* (IP Act) require government agencies to make information available to the public unless there is a good reason not to. Access to government-held information should, where possible, be given through informal means like OIR's website, publication scheme, or released administratively. Accordingly, a formal RTI or IP application for OIR's information should only be made as a last resort¹.

Principles

The scheme promotes transparency and accountability whilst affording the necessary level of protection for personal, confidential, and third-party information. The scheme supports the right to information environment by streamlining access to certain classes of OIR information. The scheme has been developed in accordance with the following principles:

- **RTI as a last resort** - where possible, information should be released administratively and formal applications under the RTI and IP legislation should only be required as a last resort.
- **Protect privacy** - information privacy obligations should be a primary consideration so that personal information is protected as a matter of course when information is released.
- **Consideration of third party interests** - ensure that third party interests are considered before releasing information administratively.
- **Informed and consistent implementation** - staff are supported by training and resources.
- **Promotion and visibility** - promote the public's understanding of how administrative access works in the agency including ensuring OIR website pathways are easy to follow and that the administrative access arrangements are promoted and visible.

¹ Preamble Item 2 – *Right to Information Act 2009*.

- **Responsiveness** - be responsiveness to requests for information and deal with them within a reasonable time.

Requirements

The Scheme complements other ways in which OIR proactively discloses information within the Framework and importantly, includes the right to ask for your own personal under *Information Privacy Principle 6* of the *IP Act*.

A decision to release information administratively is discretionary. The scope of the Scheme is primarily confined to the following:

- Documents that have been provided to, or from OIR by the person seeking access to them.
- Documents provided to, or from OIR by the business seeking access to them.
- Documents containing personal information solely about the individual who asks for them.
- Documents containing business information solely about the business that asks for them.

Information will not usually be suitable for access under the Scheme if there is a risk of any of the following:

- Breaching the privacy principles² by disclosing a third party's personal information.
- Compromising other essential government or private interests (for example, prejudicing an investigation, waiving legal professional privilege, disclosing confidential or commercial information).
- Breaching statutory or other confidentiality obligations.
- Breaching contractual terms in relation to the release of information.
- Breaching copyright or intellectual property rights.

One-off requests for other information

Occasionally, requests for other types of information that do not fall within Items 1-4 above may warrant consideration of releasing administratively under the Scheme rather than a direct referral to the RTI process. The Scheme does allow for the administrative release of other types of information on a case-by-case basis following a suitability assessment.

Requests for documents that are assessed as being unsuitable for administrative access should be referred to the formal RTI and IP application process.

Responsibilities/delegations (and accountabilities)

Employees:

Receive, process, and respond to requests, ensuring a draft response is escalated to the appropriate decision maker and appropriate records management is maintained.

Managers (in addition to their responsibilities as employees):

Review, assess suitability and ensure appropriate records management is maintained.

² See Chapter 2 and Schedule 3 of the IP Act.

Directors (in addition to their responsibilities as employees):

The decision maker for the administrative release of OIR information, seeking advice in relation to the appropriateness of releasing information administratively from OIR's RTI and Privacy Unit or OIR legal advisers where required, and ensuring appropriate records management is maintained.

OIR – business units:

The responsibility for dealing with requests under the Scheme rests with the OIR business unit that owns the information. Business units are responsible for:

- Understanding OIR's obligations in relation to the information they deal with.
- Developing local processes for dealing with requests which include assessing suitability, approvals, recordkeeping, and briefing.
- Considering administrative access to information where appropriate and referring to the RTI process only as a last resort.
- Ensuring that their employees receive training on the Framework including administrative access options.
- Promoting awareness of administrative access to clients and the community in general.
- Consulting with the RTI and Privacy Unit on matters relating to the application of the RTI or IP Acts.
- Identifying opportunities and developing new administrative access schemes where appropriate.

OIR - RTI and Privacy team:

- Provide OIR with advice and assistance as required.
- Consults with OIR business units to identify information that may be suitable for administrative access.
- Develops guidance and training materials for OIR staff on applying administrative access processes.
- Publishes resources and promotes the use of administrative access to the community.
- Encourages a culture that continuously seeks to identify new information assets that may be considered suitable for administrative access.

Executives

- Endorse this policy and actively encourage their Directorates to facilitate the administrative release of OIR information to the maximum extent possible
- Make refusal/release decisions as required
- Ensure appropriate records management is maintained in their Directorate
- Undertake reviews of Directorate information requests and release trends to determine if a Directorate specific Administrative Access Scheme/s should be implemented.

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- Endorse this policy and the proactive release of information held or controlled by OIR generally, consistent with the RTI and IP Acts and QGEA Information access and use policy (IS33)
- Actively lead and foster an open culture within OIR which promotes responsible release of information.

Safety

Nil.

Legislation

- [Anti-Discrimination Act 1991 \(Qld\)](#)
- [Crime and Corruption Act 2001 \(Qld\)](#)
- [Human Rights Act 2019 \(Qld\)](#)
- [Industrial Relations Act 2016 \(Qld\)](#)
- [Information Privacy Act 2009 \(Qld\)](#)
- [Ombudsman Act 2001 \(Qld\)](#)
- [Public Records Act 2002 \(Qld\)](#)
- [Public Sector Act 2022 \(Qld\)](#)
- [Public Sector Ethics Act 1994 \(Qld\)](#)
- [Right to Information Act 2009 \(Qld\)](#)
- [Public Interest Disclosure Act 2010 \(Qld\)](#)

Definitions

Administrative release	The release of information in response to a request other than by an access application under the RTI or IP Act.
Decision maker	Decision maker in OIR for the administrative release of information requests are set at Director level and above.
Document	Any document including paper records, electronic records, audio and video tapes, disks, and reports.
Personal information	Information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.
Third party	A person or organisation other than OIR or the requestor.

Related documents

- Information Access Framework [\[Insert link when website has been updated\]](#)
- OIR Privacy Policy
<http://intranet.int.oir.qld.gov.au/governance/information-privacy>
- OIR Conflict of Interest
<http://intranet.int.oir.qld.gov.au/employee-centre/ethics-and-integrity/conflict-of-interest>
- OIR Customer Complaints Management policy
<http://intranet.int.oir.qld.gov.au/Documents/oir-customer-complaints-management-policy.doc>
- OIR's Publication scheme
<https://www.worksafe.qld.gov.au/about/publication-scheme>

- Office of the Information Commissioner Queensland Guideline Administrative release of information [Administrative release of information | Office of the Information Commissioner Queensland \(oic.qld.gov.au\)](https://www.oic.qld.gov.au/guidelines/for-government/admin-access-checklist)
- Office of the Information Commissioner Queensland Admin access checklist <https://www.oic.qld.gov.au/guidelines/for-government/access-and-amendment/proactive-disclosure/admin-access-checklist>
- Office of the Information Commissioner Queensland Proactive disclosure and publication schemes <https://www.oic.qld.gov.au/guidelines/for-government/access-and-amendment/proactive-disclosure/proactive-disclosure-schemes>
- Information access and use policy (IS33) <https://www.qgciio.qld.gov.au/documents/information-access-and-use-policy-is33>
- Ministerial Guidelines for operation of publication schemes and disclosure logs https://www.rti.qld.gov.au/data/assets/word_doc/0011/97328/ministerial-guidelines-for-publication-schemes-and-disclosure-logs.DOC
- Queensland Ombudsman’s Good Decisions Guide and checklist <https://www.ombudsman.qld.gov.au/improve-public-administration/public-administration-resources/good-decisions>

Related procedures

- Internal OIR procedure - releasing information to affected families [Communication with next of kin during investigations and proceedings](#)
- Internal OIR procedure - Investigation Management [Investigation Management](#)
- External website - OIR Publishing Policy [Publishing policy](#)
- External website - Role of the Investigation Liaison Support Officer (ILSO) [What help is available when someone dies at work?](#)
- External website – Guide [A death in the workplace guide for family and friends](#)

Superseded versions

Nil.

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