

# Freedom of Information Policy

Target Audience	All Employees		
Jurisdiction	NT Health		
Jurisdiction Exclusion	N/A		
Document Owner	Tracy Richardson Information and Privacy Manager		
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## Policy Statement

Anyone has the right to apply to access the information that we hold, and they have the right to receive it unless Parliament has determined (through the NT *Information Act 2002*) that it is not in the public interest to disclose it or it is otherwise publicly available.

Generally, people can have access to their own personal information, unless giving them direct access would threaten their health or life, interfere with another person's privacy, or not be in the public interest. *Personal information* is any information that discloses a person's identity or from which a person's identity can be reasonably ascertained. This means not only a person's name or address, but may include a photograph, a painting, fingerprints or a unique identity number such as a HRN (Hospital Registration Number) or Tax File Number.

Everyone is also entitled to apply for access to any information that we hold about our operations, rules, guidelines, policies and practices that affect them. This is defined in the *Information Act 2002* as *government information* which means any record held by or on behalf of us, including the personal information defined above. Again people generally have the right to receive the government information they seek, and it will only be withheld in certain circumstances defined by the Act to be against the public interest to disclose it.

A response to every request for information will be provided to the applicant. A written decision about every valid Freedom of Information (FOI) application to access information will be provided to the applicant within 30 days of receiving the request. The decision notice will advise if access to the information will be granted and any reason some or all of the information will not be released. Reasons for refusing access to information will be in accordance with the *Information Act 2002*. A decision notice will also be provided to advise if more time is required to process the request, for example if it relates to a large amount of information or if third parties need to be consulted.

Every decision notice will contain advice of the applicant's right to seek a review of the initial decision, or to lodge a complaint with the Information Commissioner if not satisfied with the review decision.

We will make information about our activities freely available on-line and in hard copy. Reports and statistics are accessible on our websites and in libraries. All staff will assist members of the public to access any of the information that we hold in the most cost effective way.

## Applying for Information

FOI applications do not have to be on a form, but using a form will usually help with processing by ensuring all necessary information is provided. FOI applications must:

- be in writing;
- include the applicant's name and address (a telephone number and/or email address will also help);
- describe the information wanted, with enough detail to identify and locate it;
- if seeking more than just personal information about the applicant, include a \$30 application fee; and
- include proof of identity.

If an application does not meet all of the requirements, we will take all reasonable steps to contact the applicant and advise them of any further details that may be required, and to assist to make the application valid.

## Releasing Information that we Hold

Unless the information cannot be found or does not exist, we will normally only refuse access that is exempt from disclosure under the Act. For information about exemptions in the public interest, see <https://infocomm.nt.gov.au/resources/guidelines>

When we release information, we will do so in the most efficient and cost-effective way. If an application is likely to involve significant costs, we may provide an estimate of fees to be charged or one will be issued on request. If the applicant wishes to proceed they may be asked to pay a deposit of 50% of the estimated fees before processing will proceed.

The costs to a person accessing their own personal information will be limited to fees for photocopying or supervising the examination of records or the actual costs of media to provide the information. For access to non-personal information, the charges will be in accordance with the *Information Regulations*. Fees will be reduced or waived upon request, following consideration of the circumstances of the application, the applicant's financial situation and the objects of the Act.

In some cases it will be necessary to consult another person or organisation (a third party) about the information applied for. For example it may contain personal information about another individual, business information, aboriginal cultural information or information of another government. Each third party will be consulted for their views on release of the information, but even if they object, we will decide whether the information should be released to the applicant.

After considering the public interest factors for and against release of the information sought, we may decide to:

- release the information in full;
- release the information in part by editing or redacting the record before release;
- refuse access to the information; or
- neither confirm nor deny whether the information exists but advise that, if it did, it would be exempt from release.

Access to information will be provided by releasing a hard copy, via secure email, USB, CD or other media, or allowing the applicant to view it on site.

An applicant who is not satisfied with a decision about release or who has not received a decision within 30 days or the extended time notified has the right to seek a review, and then to complain to the Information Commissioner.

All requests for information made under the *Information Act 2002*, or citing Freedom of Information, must be provided in a timely manner to the Information and Privacy Unit for assessment and response.

For more information contact the Department of Health Information and Privacy Unit on 8999 2879 or [infoprivacyhealth.ths@nt.gov.au](mailto:infoprivacyhealth.ths@nt.gov.au)

### Document Quality Assurance

	Method	Responsibility
<b>Implementation</b>	Through record management processes	All staff
<b>Review</b>	Reviewed every 2 years by Information and Privacy Manager	Information and Privacy Manager
<b>Evaluation</b>	Through internal audit	Director Risk and Assurance Services

### Key Associated Documents

<b>Key Legislation, By-Laws, Standards, Delegations, Aligned &amp; Supporting Documents</b>	<i>Information Act 2002; Department of Health Privacy Policy;</i>
<b>References</b>	Nil