

## GIPA Annual Report 2013/14

Agency Name	Central Coast Local Health District
Principal Department	Ministerial and Executive Services
Reporting Period	July 2013 – June 2014

### Appendix 1 – Obligations under the GIPA Act

#### 1. Review of proactive release program – Clause 7(a)

Under section 7 of the *Government Information (Public Access) Act 2009* (GIPA Act), agencies must review their programs for the release of government information to identify the kinds of information that can be made publicly available. This review must be undertaken at least once every 12 months.

Due to a review of the roles and responsibilities affecting the Right to Information Officer (RIO), the function of RIO was established in a new position. Due to the recruitment of this new position, there was a handover period which delayed the review of the District's proactive release program.

During this reporting period, the new RIO officer commenced and reviewed the proactive release program to determine improvements and methods to promote the proactive release of information by District staff.

The following initiatives have now been undertaken:

A directive from the Chief Executive was sent to District Directors requesting that the proactive release of information under the GIPA Act must be reviewed at intervals of not more than 12 months. This directive resulted in the submission of documentation for potential proactive release. Once all documentation has been received, it will be reviewed for proactive release.

A review and update of all information that will be available on the District's internet site, pertaining to the GIPA Act, including the proactive release of government, was undertaken. The District's internet site is currently under construction and a temporary site is in use. The "go live" date for the intranet site was delayed and it is currently scheduled to "go live" at the end of 2014.

A review of government information that is commonly requested was undertaken. Requests for hospital policy documents by the public were common. The District has their policy documents listed on the temporary internet site, however the documents are not available to download. The RIO will liaise with relevant parties to determine if the policy documents can be uploaded onto the new internet site.

The RIO has reviewed areas that manage high volumes of government information and it has been identified that an opportunity exists to implement a procedure to assess new information during processing to identify potential information that can be proactively released. The RIO Officer is liaising with relevant stakeholders to implement this procedure.

A GIPA presentation was developed during this reporting period and education sessions have commenced.

## 2. Number of access applications received – Clause 7(b)

During this reporting period the District received a total of six formal access applications (including withdrawn applications but not invalid applications).

## 3. Number of refused applications for Schedule 1 information – Clause 7(c)

During the reporting period the District refused one access application either wholly or in part because the information requested was information referred to in Schedule 1 to the GIPA Act. Of those applications, nil were refused in full, and one was refused in part.

## 4. Statistical information about access applications – Clause 7(d) and Schedule 2

Table A: Number of applications by type of applicant and outcome*								
	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn
Media	0	1	0	0	0	0	0	0
Members of Parliament	1	0	0	0	0	0	0	0
Private sector business	0	0	0	0	0	0	0	0
Not for profit organisations or community groups	0	0	0	0	0	0	0	0
Members of the public (application by legal representative)	1	0	2	0	0	0	0	0
Members of the public (other)	0	3	1	0	0	0	0	0

\*More than one decision can be made in respect of a particular access application. If so, a recording must be made in relation to each such decision. This also applies to Table B.



Table B: Number of applications by type of application and outcome								
	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn
Personal information applications*	1	0	3	0	0	0	0	0
Access applications (other than personal information applications)	1	1	0	0	0	0	0	0
Access applications that are partly personal information applications and partly other	0	3	0	0	0	0	0	0

\*A **personal information application** is an access application for personal information (as defined in clause 4 of Schedule 4 to the Act) about the applicant (the applicant being an individual).

PLEASE NOTE: The total number of decisions in Table B should be the same as Table A.

Table C: Invalid applications	
Reason for invalidity	Number of applications
Application does not comply with formal requirements (section 41 of the Act)	3
Application is for excluded information of the agency (section 43 of the Act)	0
Application contravenes restraint order (section 110 of the Act)	0
Total number of invalid applications received	3
Invalid applications that subsequently became valid applications	0

Table D: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 of the Act	
	Number of times consideration used*
Overriding secrecy laws	0
Cabinet information	0
Executive Council information	0
Contempt	1
Legal professional privilege	0
Excluded information	0
Documents affecting law enforcement and public safety	0
Transport safety	0
Adoption	0
Care and protection of children	0
Ministerial code of conduct	0
Aboriginal and environmental heritage	0



*\*More than one public interest consideration may apply in relation to a particular access application and, if so, each such consideration is to be recorded (but only once per application). This also applies in relation to Table E.*

**Table E: Other public interest considerations against disclosure:  
matters listed in table to section 14 of the Act**

	Number of occasions when application not successful
Responsible and effective government	3
Law enforcement and security	0
Individual rights, judicial processes and natural justice	3
Business interests of agencies and other persons	0
Environment, culture, economy and general matters	0
Secrecy provisions	0
Exempt documents under interstate Freedom of Information legislation	0

**Table F: Timeliness**

	Number of applications
Decided within the statutory timeframe (20 days plus any extensions)	9
Decided after 35 days (by agreement with applicant)	0
Not decided within time (deemed refusal)	0
<b>Total</b>	<b>9</b>

**Table G: Number of applications reviewed under Part 5 of the Act (by type of review and outcome)**

	Decision varied	Decision upheld	Total
Internal review	0	0	0
Review by Information Commissioner*	0	0	0
Internal review following recommendation under section 93 of Act	0	0	0
Review by NCAT	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

*\*The Information Commissioner does not have the authority to vary decisions, but can make recommendation to the original decision-maker. The data in this case indicates that a recommendation to vary or uphold the original decision has been made.*

**Table H: Applications for review under Part 5 of the Act (by type of applicant)**

	Number of applications for review
Applications by access applicants	0
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0



**Matt Hanrahan**  
Chief Executive

Date: 27/10/14