



Purpose

To outline the obligations of the Office of the Health Ombudsman (OHO) in relation to the administrative release of information.

Application

This policy applies to all employees of the OHO, including temporary and contract employees.

Policy statement

The Administrative Access Policy allows the OHO to give access to certain types of information as a matter of course without the need for a formal application under legislative measures such as the *Right to Information Act 2009* and the *Information Privacy Act 2009*.

Administrative access is designed to facilitate access to an individual's own personal information and/or routine non-sensitive information.

Individuals should be given access to their personal information, except where legislation prevents such release, or the information concerns the affairs of another person and its release could be of concern to that person.

However, this policy is discretionary and does not have the right of review available to applicants under statutory access schemes.

Legislative and policy provisions

- *Right to Information Act 2009* (RTI Act)
- *Information Privacy Act 2009* (IP Act)

Principles

Policy 1

Since the commencement of the RTI and IP Acts and the emphasis on releasing information both proactively and administratively as a matter of course, the OHO has established an administrative access policy to reduce the instances where individuals are required to make a formal application under the RTI Act or the IP Act to access information.

Policy 2

The OHO acknowledges the right of the public to have access to public records, the right of an individual to access personal information held by the OHO, and an individual's right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with.¹

Policy 3

An administrative process for releasing information is distinct from other legislative processes like those under the RTI Act or the IP Act.

Generally, administrative access releases information which is non-sensitive *in the hands of the person it is provided to*. Although sensitive information may be released in some cases under administrative access,

¹ *Human Rights Act 2019* (Qld), s 25.





officers considering releasing information must take account of relevant factors (such as who is requesting the information) in assessing whether the information should be released, or may be a breach of another person's privacy. For example, although medical records may contain sensitive information, administrative release to the person who is the subject of the records will be appropriate in many cases, but release of records that also contain another individual's personal information may not be.

Policy 4

Releasing documents administratively offers the public reduced waiting times to access information and increases transparency of government information. Administrative release may also reduce the volume of formal access applications made under the RTI Act or IP Act.

Roles and responsibilities

The Chief Executive, Executive Directors and Directors are responsible for disseminating this policy to staff in their division.

Managers and team leaders have a responsibility to support the use of this policy and ensure that staff releasing information under this policy have the required level of training and knowledge.

The Release of Information Officer has primary responsibility of Administrative access requests under this policy.

All staff must ensure that they understand and comply with the requirements of this policy.

Definitions

Employee	A public service officer, temporary employee (engaged under section 148(2)(a) of the <i>Public Service Act 2008</i>), or general employee (engaged under section 147(2)(a) of the <i>Public Service Act 2008</i>)
RTI/IP Acts	The RTI Act and IP Act require government agencies to make information available to the public unless there is a good reason not to. Government information should, where possible, be given through informal means like an agency's website, publication scheme, or through administrative release.
Effective date	September 2020
Last reviewed	September 2016
Next review	September 2022
Custodian	Executive Director, Corporate & Strategic Services
Contacts	Release of Information Officer
Approved by	Health Ombudsman
Approval date	25 September 2020
Signature	