

RIGHT TO INFORMATION / INFORMATION PRIVACY

POLICY: This policy outlines Ports North's approach to making information available to the community while providing appropriate protection for individuals' privacy.

BACKGROUND: The Right to Information Act 2009 (RTI Act) and the Information Privacy Act 2009 (IP Act) replace the previous Freedom of Information Act.

The RTI Act promotes the right of the public to access information and records held by State Government Departments including Government Owned Corporations (GOC).

Ports North, is subject to the Right to Information Act 2009 and accordingly acknowledges the right of the public to seek access to documents held by Ports North, unless the disclosure of information would on balance, be contrary to the public interest. Factors favouring non-disclosure of information in the public interest are outlined in the RTI and IP Acts.

The RTI Act also requires GOCs to publish a publication scheme on their websites which includes a disclosure log of documents that have been released in response to an RTI application.

The IP Act sets out ways in which GOCs must handle the collection, storage, access and disclosure of personal information. The IP Act also provides for applications to amend documents held by the GOC, to the extent the documents contain the applicant's personal information.

APPLICABILITY: This policy applies to all documents, both created and received, that provides evidence of the decisions and actions of the corporation while undertaking its business activities and applies to all Directors, employees and contractors of Ports North.

DEFINITIONS: **Documents** – are any form of recorded information, both created and received, that proves evidence of the decisions and actions of the corporation while undertaking its business activities. The RTI Act does not apply to documents received or brought into existence by a GOC in the course of its commercial activities prior to 1 July 2009.

Disclosure Log – A list of the documents released in response to an RTI application.

Publication Scheme – Sets out information made publically available by the Corporation and the terms under which the information is available.

Personal Information – is an opinion or information, whether true or false, that identifies an individual. It does not have to be written and can be spoken or contained in a database or a computer screen or photograph or visual or audio recording.

PROCEDURES/ GUIDELINES

Right to Information

Ports North has a detailed procedure (**Attachment 1**) that will be followed to process RTI and IP access applications. This procedure is available under Policies on Iport and is available under the Release of Information Publication Scheme on the website.

In accordance with the RTI and IP Acts, the Chief Executive officer (CEO) is the 'principal officer' and is the person responsible for determining the outcome of any applications under the Acts. In accordance with the Acts, the CEO has delegated this power to the Legal Compliance and Governance Manager (LCGM) who is the RTI Officer.

As RTI Officer the LCGM is responsible for making initial decisions regarding the release of documents within the time periods stipulated in the Act. The RTI Officer will liaise with RTI applicants and other service units regarding access to documents.

The CEO is also responsible for formal internal reviews of decisions made by the RTI Officer, if so requested by the applicant. In accordance with the RTI and IP Acts, the CEO has delegated this power to General Manager Corporate Services (GMCS).

Personal Information Collected and Used by Ports North

Ports North collects, stores and uses a range of personal information and any personal information collected will only be used and disclosed for the purpose for which it has been provided for or as authorised by law.

General Public

Visits to the Ports North website are recorded for statistical purposes only. These electronic logs are maintained for the life of the internet server. System administrators hold this information and access is restricted.

Email correspondence via the Ports North website or email address and including correspondence received in hard copy will be treated as a record and will be retained as required.

Customers & Vendors

Personal information concerning customers and vendors is collected and maintained to facilitate normal business processes. In general the records include information such as name and address details, financial information, referee details, bank and credit card details.

Stakeholders

Ports North collects and uses personal information from stakeholders to effectively work with them and to facilitate distribution of corporate communication such as annual reports, etc. and other matters.

Employees

Ports North holds a range of personal information on employees for the purpose of maintaining employment history, payroll and administrative information relating to all employees including Directors and contractors. This information is

stored electronically and on paper files (locked in secure filing cabinets) with restricted access.

Information may be disclosed to organisations such as Centrelink, Australian Taxation Office, Police and Q-Super for taxation, superannuation or legal reasons. This information may also be disclosed to third parties with approval from the employee.

Job Applicants

Ports North collects personal information as part of recruitment and this information is retained in locked secure filing cabinets with restricted access.

Personal Information collected by Ports North will be protected against loss, unauthorised access, use, modification or disclosure.

All records relating to personal information are retained by Ports North for variable periods according to the provisions of Ports North's Retention and Disposal Strategy.

POLICY REVIEW: The policy will be reviewed every three years by the custodian and any recommended changes approved by the approving authority.

RELATED MATTERS

APPROVED BY:	Board	DATE:	28 May 2010
APPROVING AUTHORITY	Audit and Risk Committee		
DELEGATION INSTRUMENT	Board Resolution – 28 May 2010		
CUSTODIAN:	General Manager Corporate Services		
COMMENTS:	Reviewed by the Audit and Risk Committee – 23 August 2011 Reviewed by the Audit and Risk Committee – 22 August 2014 Reviewed by the Audit and Risk Committee – 20 November 2015 Reviewed by the Audit and Risk Committee – 17 November 2017		