



Office of the Information Commissioner
Queensland

Follow-up of review recommendations

Department of Transport and Main Roads

Review of agency adoption of recommendations made under the *Right to Information Act 2009* (Qld) and the *Information Privacy Act 2009* (Qld).

OIC thanks the agency for cooperation throughout the review process and for the courtesy displayed towards the officers undertaking the assessment. In undertaking this follow-up review, OIC recognises the commitment of the business units and their desire for continuous improvement in right to information and information privacy.



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March 2014

Mr Ian Berry MP
Chair
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane QLD 4000

Dear Mr Berry

I am pleased to present 'Follow-up of review recommendations - Department of Transport and Main Roads: Review of agency adoption of recommendations made under the *Right to Information Act 2009* (Qld) and the *Information Privacy Act 2009* (Qld).' This report is prepared under section 131 of the *Right to Information Act 2009* (Qld).

The report reviews the extent to which the agency reviewed by the Office of the Information Commissioner has responded to review recommendations.

In accordance with subsection 184(5) of the *Right to Information Act 2009* (Qld) and subsection 193(5) of the *Information Privacy Act 2009* (Qld), I request that you arrange for the report to be tabled in the Legislative Assembly.

Yours sincerely



Rachael Rangihaeata
Information Commissioner

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1. Summary

This is a report on the implementation of recommendations of an Office of the Information Commissioner (**OIC**) report:

Compliance Review – Department of Transport and Main Roads, Review of the Department of Transport and Main Roads' compliance with the *Right to Information Act 2009* (Qld) and the *Information Privacy Act 2009* (Qld).

This report, tabled in Parliament during 2012/2013, was about the outcomes of a review of agency performance under the *Right to Information Act 2009* (Qld) (**RTI Act**) and the *Information Privacy Act 2009* (Qld) (**IP Act**). This review analysed:

- the extent to which the Department of Transport and Main Roads (**TMR**) had a culture of openness and engaged with the community
- leadership within the agency to champion proactive release of information and good information governance
- accountability and measurement of performance
- strategies adopted to maximise disclosure; and
- compliance with specific legislative requirements.

This report examines the extent of implementation of the original review report recommendations.

1.1. Conclusions

TMR has implemented five of the six recommendations from the 2012/13 review report, and one recommendation is being progressed towards implementation.

1.2. Key findings

The 2012/13 review report concluded that TMR had performed strongly in its delivery of right to information and information privacy and demonstrated a clear commitment to openness and accountability. TMR had:

- published valuable public sector information as a matter of course
- sound governance structures in place which operated effectively under focused leadership from agency executive
- an open culture, focused outward and on efficiently meeting clients' needs

- published information proactively, for example, with effective use of the publication scheme and disclosure log; and
- a high standard of application handling which could be a guide for other agencies in efficient and client focused application handling.

TMR was considered to be well-positioned to take a leadership role in developing strategies for engaging with the community to reduce red tape and add economic value through the re-use of information. An example of a TMR initiative to release geo-spatial information proactively was provided as a case study.

Six recommendations were made to TMR. The recommendations were due for implementation by July 2013.

TMR provided a progress report at the end of June 2013. In recognition of internal structural changes, OIC allowed additional time for implementation of Recommendation One. OIC and TMR met to discuss finalising Recommendation One in January 2014. While TMR had commenced work on implementing Recommendation One, in February 2014 TMR reported that it was being implemented as part of a wider review and could not be implemented fully prior to OIC reporting on its follow up review.

Therefore, TMR has implemented five of the six recommendations in full. One recommendation, to review and update community engagement policy, principles, standards and guidelines in light of right to information, is in progress.

1.3. Reference to agency comments

In accordance with the Office of the Information Commissioner's *Charter, Policy and Procedures* for the conduct of reviews, TMR was asked to provide information as to their views on this report on the progress of the implementation of the recommendations. Their response is provided in Appendix A of this report.

2. Summary of implementation of recommendations

Culture of Openness	Leadership & Accountability	Maximum Disclosure	Compliance
<p>Ensure information management projects are explicitly mentioned in policies for working with stakeholders. <i>(Rec 1)</i> <i>(In progress)</i></p>	<p>Ensure operational performance measures are in place for application handling. <i>(Rec 2)</i> <i>(Implemented)</i></p>	<p>Update and publish the Information Asset Register. <i>(Rec 3)</i> <i>(Implemented)</i></p>	<p>Ensure that business units responding to requests for information provide all the requested information to the RTI and Privacy Unit in the first instance. <i>(Rec 6)</i> <i>(Implemented)</i></p>
		<p>Work with industry and communities to publish information using interactive applications. <i>(Rec 4)</i> <i>(Implemented)</i></p>	
		<p>Improve the visibility of administrative access schemes. <i>(Rec 5)</i> <i>(Implemented)</i></p>	

3. Progress update

This section discusses the work completed and its impacts on the agency's operations and outcomes.

3.1 Work completed

TMR has:

- made changes to the performance monitoring and case management system, incorporating quantitative and qualitative performance measures¹
- published the Information Asset Register on the website
- made an extensive array of online services accessible through the website, and has published multiple datasets through the Queensland Government's open data website
- implemented a Transport and Motoring QGov portal for single online entry to Queensland Government services, and provided a link to this portal from the 'How do I access information' page on the website; and
- rebuilt the RTI and Privacy Liaison Officer network, including related processes, to ensure business units responding to applications for information under the RTI Act or IP Act provide all requested documents, together with all clearly identifiable attachments relevant to a document, to the RTI and Privacy Unit on the first occasion.

3.2 Work still to be done

One recommendation is in progress and not yet fully implemented.

Recommendation One

Recommendation One required TMR to review the document 'Community Engagement: Policy, Principles, Standards and Guidelines' to ensure it is up-to-date and to incorporate specific mention of working with stakeholders to identify and meet their information needs, within 12 months.

¹ TMR advised of relevant changes to the case management system in a progress report dated 28 June 2013. OIC accepts this advice.

TMR provided OIC with a draft of the updated document, titled *Transport and Main Roads: Community Engagement Standard, October 2013*. OIC was given an opportunity to comment on the document during the redrafting process, and highlighted areas of improvement regarding the need to include encouragement of two-way dialogue with the community about identifying information needs. Early in 2014, TMR stated that the implementation of a new suite of community engagement policies and procedures will be progressed in 2013/14. TMR advised that this recommendation would be addressed as part of this overall review of community engagement policy and practice. Implementation of this recommendation is in progress.

4. Appendix A – Comments Received

In accordance with the Office of the Information Commissioner's *Charter, Policy and Procedures* for the conduct of reviews, the Department of Transport and Main Roads was asked to provide information as to their views on the progress of the implementation of the recommendations. Their comments are attached.



Our ref DG25855
Your ref
Enquiries Graeme Healey

Department of
Transport and Main Roads

11 March 2014

Ms Rachael Rangihaeata
Information Commissioner
Office of the Information Commissioner Queensland
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Adelaide Street Brisbane Qld 4000

Dear Ms Rangihaeata

I refer to your letter to Mr Neil Scales, Director-General, Department of Transport and Main roads about the follow-up Right to Information (RTI) and Information Privacy Compliance Review Report. I appreciate the opportunity to formally respond to the report, prior to it being tabled in Parliament.

It is pleasing to note that the department has implemented all but one of the six recommendations. As discussed with your office, the remaining recommendation is progressing and will be finalised in the coming months. As such, I am happy to accept your report.

I would also like to thank Karen McLeod and Dean Girvan from your office for the professional and straight forward way the compliance review was undertaken.

If you require further information, I encourage you to contact Mr Graeme Healey, Director RTI, Privacy and Complaints Management on 30667102 or by email at graeme.j.healey@tmr.qld.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Don Bletchly".

Don Bletchly
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