

October 2017

Initially established under the repealed Freedom of Information Act 1992 (Qld), the Office of the Information Commissioner (OIC) continues under the *Right to Information Act 2009* (Qld) (RTI Act) and the *Information Privacy Act 2009* (Qld) (IP Act) as Queensland's independent statutory body promoting access to government-held information and protecting people's personal information as held by the public sector.

OIC provides information and assistance to the community and support to over 600 Queensland public sector entities, including Queensland Government departments, local government, public universities and statutory authorities on understanding their rights or responsibilities under the Acts.

OIC also reviews agency decisions regarding access and amendment applications, deals with privacy complaints, and monitors and reports on agency compliance.

## Key functions

### External Review

OIC has responsibility for reviewing decisions of agencies and Ministers on access to and amendment of information under the RTI Act and IP Act.

This role includes identifying whether agencies and Ministers have taken all reasonable steps to locate relevant documents, as well as deciding applications for extensions of time to process access applications from non-profit organisations for financial hardship status. OIC also makes decisions about whether the legislation applies to particular entities.

OIC attempts to resolve external review applications informally wherever possible. However, if informal resolution cannot be achieved, a decision is made that either affirms, varies or sets aside the agency/Minister's decision.

Decisions are published on the OIC website. Decisions of the Information Commissioner can be appealed to the Queensland Civil and Administrative Tribunal or judicially reviewed by the Queensland Supreme Court.

### Information Privacy

The IP Act creates a right for individuals to access and amend their own personal information and provides rules for how agencies may and must handle personal information.

OIC functions under the IP Act include:

- managing and mediating privacy complaints about Queensland public sector agencies
- leading the improvement of public sector privacy administration in Queensland, through promotion of rights and obligations, and providing guidance, assistance and training
- conducting reviews into agency personal information handling practices; and
- making decisions about compliance notices, waivers and modifications of privacy principles in the public interest.

### Performance Monitoring and Reporting

OIC monitors and reports to the Queensland Parliament on agency compliance with the RTI Act and the IP Act by conducting audits, reviews and surveys of government departments, local governments, statutory authorities, government owned corporations and universities.

### Information and Assistance

OIC promotes awareness of rights and obligations in the community and across government and assists agency compliance with the RTI and IP legislation by:

- providing an enquiries service for advice and assistance about the operation of the legislation
- publishing an extensive range of guidelines and resources for government and the community
- providing training about compliance and more effective and efficient ways to deliver RTI and IP services, including online courses; and
- promoting awareness of the principles and practices of Right to information and information privacy, including how Queenslanders can protect their personal information.

# Highlights of 2016-17

- We finalised 413 external review applications and received 515 new applications.
- 88% of external review applications were resolved informally without a formal decision.
- 73% of applicants were satisfied overall with the conduct of the external review.
- No reviews that were more than 12 months old were open at the end of the reporting period.
- We received 68 privacy complaints and closed 57 privacy complaints.
- 100% of agencies were satisfied with the privacy service provided.
- We participated in 239 meetings, regional visits and information sessions.
- Published new information resources and reviewed existing resources for the community and government agencies.
- 98% of agencies were satisfied with the quality of information provided.
- Provided 41 training activities and trained 9,676 people.
- Provided integral privacy advice to government agencies about incorporating responsible personal information management into a wide range of new technologies such as body-worn cameras and CCTV. This included 312 advices, consultations and submissions.
- Provided formal written submissions to a number of parliamentary committees, inquiries and reviews.
- Continued to enhance our website to increase usability and accessibility. The website received 173,506 visits which is an increase of 20% from 2015–16.
- Actively engaged through meetings, presentations and media with agencies and the community across Queensland, in particular in regional and rural centres, to raise awareness of privacy and RTI issues.
- Participated in 2017 Privacy Awareness Week and raised awareness of privacy issues under the theme of 'Care when you share'.
- Promoted 2016 Right to Information Day and the Solomon Lecture through a number of activities

to raise awareness in the community and across government about information rights and responsibilities. The lecture was delivered by Griffith University's Professor Anne Tiernan on '*Collaboration in Place: The central role of information and data in securing Queensland's future prosperity*'.

- Provided timely advice in response to 5,081 enquiries received by telephone and in writing.
- Conducted 684 awareness activities.

## Contact us

- Subscribe to 'OIC News' (RSS feed)
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- Visit the OIC media centre
- Contact our office: (07) 3234 7373 or 1800 642 753  
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