INFORMATION SHEET

External review: providing documents to the OIC

The purpose of this information sheet is to provide agencies with guidance on dealing with documents and information relevant to an external review and the recommended approach when providing these documents to the OIC.

Retain documents for external review purposes

Agencies are encouraged to retain files and documents, that they have considered when processing an access application under the *Right to Information Act 2009* (Qld) (**RTI Act**) or *Information Privacy Act 2009* (Qld) (**IP Act**), in a convenient location or in electronic format (including copies of the documents which have been released or to which access has been refused) until the participants' review rights to the Information Commissioner have expired. This practice will assist agencies in providing documents required for an external review to the OIC within the requested time frame, ie. without having to retrieve documents from archives, or regional locations.

Identify the exempt or contrary to public interest information

When providing documents to the OIC, agencies should clearly identify:

- the specific information on each individual page to which access has been refused
- the ground in section 47(3) of the RTI Act on which the agency relied to refuse access in its decision
- the relevant section in schedule 3 or schedule 4 of the RTI Act, if the information is claimed to be exempt information or contrary to public interest information.

Highlighting or handwriting can be used to identify this information. However, the Information Commissioner encourages the use of redaction programs where available, eg. Redax (see below).

Redax

The Redax program is a plug-in for Adobe Acrobat (standard or professional) which allows a decision-maker to:

- view documents that respond to an access application in scanned PDF format
- select information you believe is exempt or contrary to public interest information
- generate a report—this can then be used to prepare a schedule of documents
- remove exempt or contrary to public interest information prior to releasing the documents
- improve timeliness and quality of decision-making
- ensure documents are readily available for internal and/or external review in a secure electronic format.

The OIC will be providing further information on the benefits and functionality of Redax in the form of training seminars and guidelines in the coming months.

If you have any questions about Redax please contact the OIC Enquiries Service on 3234 7373 or enquiries@oic.qld.gov.au.

Organise the documents

1. Numbering

Each individual page of every document that is located in response to an access application should be individually numbered. During an external review these numbers will be used by all participants to identify the information to which the applicant seeks access, information which has been released and irrelevant information. Please do not re-number documents for internal review and/or external review as this can create confusion and is time-consuming.

Where the agency locates additional documents on internal review, please mark the additional documents clearly and employ a logical numbering system eg. draw a line then continue previous numbering or precede new or current numbering system with 'IR'.

2. Bundling documents (by version)

Please provide the OIC with the following:

1. complete copies of documents responding to the access application
2. copies which show the information to which access has been refused and corresponding ground for refusal (eg. exempt or contrary to public interest). This should be done using Redax boxes or highlighting (**do not** black out/delete the information to which access has been refused) as the OIC needs to examine this information in order to conduct the review.

Each version should be bundled and clearly marked eg. by attaching a coversheet.

3. Schedule of documents

In reviews involving more than fifty (50) folios, agencies are asked to prepare a Schedule of Documents and provide this to the OIC. A sample schedule is available on the OIC website at http://www.oic.qld.gov.au/right-information-guidelines[1]

Redax

A decision-maker can use the *Redax Report* function to assist in generating a schedule of documents:

- select "Redax Report" from the drop down menu

- follow the prompts to save the text file

- open the Redax Schedule Template available online at www.oic.qld.gov.au, selecting the option to **enable macros** when prompted

- click the "Import Redax Report" button and retrieve the relevant text file

This basic schedule is a useful reference point for agencies and applicants during the course of decision-making. The schedule can then be populated with additional data, where appropriate, on external review.

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[1] The schedule can be found at Appendix 3 to the *Searching for Documents Guideline.*

Promoting Open Government
Valuing and respecting information rights and responsibilities

Reviews involving third party consultation

To assist the Information Commissioner in understanding the background facts in a review and to give context to the issues arising where third party consultation has occurred, please provide:

- the contact details of third parties

- copies of documents which have been sent to third parties for the purpose of consultation with the information on which third parties' views was sought

- all consultation documents, including correspondence between the agency and third parties and any decisions issued to third parties

- where more than one third party is consulted, the above documents with respect to each party should be bundled separately.

In third party reviews, the OIC may also request copies of other documents located in response to the access application.[2] Where possible, agencies should provide the OIC with a sufficient description of the other documents located and/or released to the access applicant during the application process. This allows the Information Commissioner to determine whether copies of these documents are needed.

Deliver the documents to the Information Commissioner

Due to the sensitive nature of external review documents, we ask that documents are not sent to the Information Commissioner by email, fax or ordinary mail, but by one of the following methods:

- in secure packaging via registered post to PO Box 10143 Adelaide Street, Brisbane, Qld, 4000

OR

- hand delivered to Level 8, 160 Mary St, Brisbane.

A form of receipt containing a description of each document (or individual page where appropriate) should be enclosed (in duplicate). This will be signed and returned for the agency's records.

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[2] Whether or not these have been released to the access applicant.