



Office of the Information Commissioner
Queensland

Follow-up of review recommendations

Rockhampton Regional Council

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

OIC thanks Rockhampton Regional Council 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 2016

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

Dear Mr Furner

I am pleased to present 'Follow-up of review recommendations Rockhampton Regional Council: 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 Rockhampton Regional Council 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

A handwritten signature in black ink, appearing to read 'Rachael Rangihaeata'.

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, tabled in Parliament during 2013/2014, 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**):

- **Report to Parliament No. 7 of 2013/14 – Compliance Review – Rockhampton Regional Council**, Review of the Rockhampton Regional Council's compliance with the *Right to Information Act 2009* (Qld) and the *Information Privacy Act 2009* (Qld). (**2013/14 Compliance Review Report**)

The review analysed:

- the extent to which the Rockhampton Regional Council 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 to which the 2013/14 Compliance Review Report's recommendations have been implemented.

Conclusions

The Rockhampton Regional Council has implemented the 14 recommendations from the 2013/14 Compliance Review Report.

Reference to agency comments

In accordance with the Office of the Information Commissioner's *Charter, Policy and Procedures Manual* for the conduct of reviews, a copy of this report was provided to the Rockhampton Regional Council for their response. Rockhampton Regional Council's response is reproduced in Appendix A of this report.

2. Report

Key findings

- All fourteen recommendations (100%) of the 2013/14 Compliance Review Report have been fully implemented.

Rockhampton Regional Council has:

- improved information governance in right to information and information privacy, and this is reflected in organisational plans and performance monitoring
- improved online information, including information about administrative access arrangements and listings of information holdings, and made improvements to the publication scheme
- developed a *Right to Information (RTI) and Information Privacy (IP) Communication Strategy*, to ensure all sections within Rockhampton Regional Council are informed of how to deal effectively with requests for information and that key messages and associated procedures about right to information and information privacy are communicated to council staff, customers and contractors
- improved communication with individuals applying to access documents under the legislation; and
- commenced an ongoing review of forms, which will ensure that when personal information is requested, the legislative privacy requirements are met.

2.1. Background

The 2013/14 Compliance Review Report concluded that overall Rockhampton Regional Council was meeting its obligations under the RTI and IP Acts well. The 2013/14 Compliance Review Report made 14 recommendations to assist Rockhampton Regional Council in taking up the opportunities for improvement identified by the review. Rockhampton Regional Council accepted eight of the recommendations in full and six in part.

2.2. Methodology

In September 2015, OIC contacted Rockhampton Regional Council to commence the follow-up review. Over the next three months, Rockhampton Regional Council provided OIC with progress reports, copies of relevant documents and commented on progress as necessary to provide further detail or to explain activities undertaken to give effect to the recommendations. OIC verified implementation of recommendations, where appropriate, through a review of Rockhampton Regional Council's documentation and website. On the basis of this evidence, OIC formed a view on the extent to which each recommendation had been implemented. OIC provided Rockhampton Regional Council with a draft of this report for comment, and these comments are reproduced in Appendix A.

2.3. Implementation status

Rockhampton Regional Council has implemented the 14 recommendations made in the 2013/14 Compliance Review Report.

At the time of the compliance review, Rockhampton Regional Council commented on the partial acceptance of six recommendations, commonly with a qualifier that implementation would be subject either to approval from Council or to practical considerations.

Subsequently, this follow-up review has found that Rockhampton Regional Council has fully implemented all recommendations, including the six partially accepted recommendations.

2.4. Progress update

This section discusses the work completed as reflected in the agency's operations and outcomes.

2.4.1. Work completed

In addressing the 2013/14 Compliance Review Report recommendations, Rockhampton Regional Council has completed a range of actions and instituted processes, including having:

- incorporated right to information and information privacy in information governance, including in performance measurement
- developed a *Right to Information (RTI) and Information Privacy (IP) Communication Strategy*, to ensure all sections within Rockhampton Regional Council are informed of how to deal effectively with requests for information and that key messages and associated procedures about right to information and information privacy are communicated to council staff, customers and contractors
- improved online information, including information about administrative access arrangements and listings of information holdings and made improvements to the publication scheme
- introduced structured procedures for contacting applicants on receipt of applications for information to discuss their information needs; and
- commenced an ongoing review of forms, which will ensure that when personal information is requested, the forms comply with legislative privacy requirements.

2.4.2. Work still to be done

Although Rockhampton Regional Council has fully implemented the 2013/14 Compliance Review Report recommendations, some tasks will necessarily be ongoing to ensure:

- full compliance is maintained, for example, ensuring the Publication Scheme is up-to-date; and
- information management practices are continually improved, for example, by monitoring Council's performance in relation to right to information and information privacy and continuing to plan for and implement improved right to information and information privacy practices.

The Compliance Review Report will continue to be a useful reference for right to information and information privacy to be considered in ongoing maintenance and improvement of information management practices.

Appendix

Appendix A – Comments Received

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



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3 March 2016

Ms Rachael Rangihaeata
Information Commissioner
Office of the Information Commissioner
PO Box 10143
BRISBANE QLD 4000



Dear Rachael

RIGHT TO INFORMATION AND INFORMATION PRIVACY – PERFORMANCE REVIEW

Thank you for the follow up review report of Rockhampton Regional Council's compliance with the *Right to Information Act 2009 (Qld)* and the *Information Privacy Act 2009 (Qld)*. We have found the review process a valuable exercise in improving our Right to Information and Information Privacy processes, and are very pleased to receive your appraisal of the successful implementation of the 14 recommendations.

We acknowledge our ongoing requirements to maintain RTI and IP legislative processes. We are committed to continually manage, monitor and improve the practices relating to RTI and IP.

Yours sincerely

A handwritten signature in blue ink, appearing to be "EP", written over a horizontal line.

Evan Pardon
Chief Executive Officer



Rockhampton Regional
Council proudly supports
the CQ NRL BID

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