

# RIGHT TO INFORMATION POLICY

## 1. INTRODUCTION & PURPOSE

The Queensland Government is committed to giving the community greater access to information. The *Right to Information Act 2009* (RTI Act) provides a right of access to government information unless, on balance, it is contrary to the public interest to release the information. This policy details the Queensland Art Gallery Board of Trustees' approach to meeting this commitment, and is designed to be a guide to the Right to Information process for both staff and members of the public.

## 2. SCOPE

This policy applies to all documents of the Queensland Art Gallery Board of Trustees ('the Board'), as defined by the RTI Act.

## 3. DEFINITIONS

**Document** – under the RTI Act, 'document' means a document, other than a document to which the RTI Act does not apply<sup>1</sup>, in the possession, or under the control, of the Queensland Art Gallery Board of Trustees, whether brought into existence or received by the Board, and includes:

- (a) a document to which the Board is entitled to access; and
- (b) a document in the possession, or under the control, of an officer of the Board, in the officer's official capacity.

**Publication scheme** – the Board's publication scheme describes and categorises the information publicly available from the Board.

**Disclosure log** – provides information that has been released in response to non-personal RTI requests made under the RTI Act. It contains a description of the information released (and may include a copy of the document, or otherwise information about the way in which the document may be accessed.)

**Administrative access** – refers to access to information, in full or in part, in certain types of administrative or operational records – generally released as a matter of course, or in response to a request, without the need for a formal application under the RTI Act. Examples of administrative access include the Board's publication scheme and disclosure log, as well as the administrative arrangements detailed below.

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<sup>1</sup> Documents listed in Schedule 1 of the Act

**Reviewable decision** – refers to a number of decisions relating to an access application, as set out in Schedule 6 of the RTI Act.

## 4. POLICY

The Queensland Art Gallery will comply with the provisions of the *Right to Information Act 2009*.

### **Right to Information applications**

The Gallery will ensure that all requests for information and/or documents under the *Right to Information Act 2009* are handled in accordance with the provisions of the Act, and are processed in a timely, professional manner and in accordance with the statutory timeframes, where applicable.

### **Administrative access**

The Gallery will give preference to the administrative release of information where possible and appropriate and having regard to any applicable legislative prohibitions on disclosure. Administrative access to information is especially preferential where information is considered non-sensitive in the hands of the person it is provided to (for example, where the information does not contain personal information, or is not exempt or prohibited from disclosure under the RTI Act or another Act). The Gallery will take into consideration relevant factors in assessing whether information is released administratively, including the content of any information/documents requested, and other factors supporting the release or withholding of information, such as who is requesting it.

Staff should seek clarification and advice from the Gallery's RTI Officer, senior management, or executive management, when it is not clear whether information is considered non-sensitive, or suitable for administrative release.

The Information Desk located at each Gallery building; the QAGOMA Research Library located on Level 3, GOMA; the general Gallery contact number (07 3840 7303); and the various ways of generating enquiries via the Gallery website, including the general Gallery email address ([gallery@qagoma.qld.gov.au](mailto:gallery@qagoma.qld.gov.au)), are considered administrative access schemes. The Gallery encourages members of the public to use these methods of enquiry in the first instance, along with the Gallery's disclosure log and publication scheme, before considering a formal RTI request.

### **Publication scheme**

As part of its commitment to the pro-active release of information, the Board will maintain a publication scheme. This publication scheme will be operated in accordance with the Ministerial Guidelines for the Operation of Publication Schemes and Disclosure Logs. Any changes to the Board's publication scheme will be formally approved by the Director. Any changes and approvals to the Board's publication scheme will be documented and kept as public records.

**Internal reviews**

Where an applicant has applied to have a reviewable decision reviewed by the Gallery, the internal review will be conducted by an officer:

- (a) different to the officer who made the reviewable decision; and
- (b) more senior to the officer who made the reviewable decision.

**Feedback**

The Board takes all feedback and complaints seriously. Members of the public who wish to provide feedback or make a complaint regarding Right to Information at the Gallery are encouraged to directly contact the Gallery, so that any concerns may be addressed.

Information about how to provide feedback or make a complaint is available in the *Complaints Management Policy*, which is available on the Gallery's website ([www.qagoma.qld.gov.au](http://www.qagoma.qld.gov.au)) or by contacting the Gallery directly on (07) 3840 7303.

Policy approved by Queensland Art Gallery Board of Trustees 11 June 2013