

GOV-004 Access to Information Policy

Authorised by: Board
Applies to: All Board members and employees
Effective from: 13 January 2022
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Policy Owner: Chief Executive Officer

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Purpose

To set out People with Disability Australia LTD (PWDA)'s commitment to transparency and access to information including legal and ethical requirements.

To support people's rights to access information about and held by PWDA.

To explain:

- which information we can share transparently and which information we must keep private and confidential.
- who can access the different kinds of information, how we share it and how people can access it.

To outline the roles, rights and responsibilities of everyone involved in handling information at PWDA.

This policy should be read together with the PWDA Privacy Policy.

Scope

This policy applies to members, clients, employees (including contractors and volunteers), other stakeholders and the community.

The policy covers personal information and all other information about or held by PWDA.

Policy statement

PWDA aims to be a leading disability rights, advocacy, and representative organisation of and for all people with disability.

We are committed to being as transparent as possible in our work, and accountable to our stakeholders and the community. We believe a culture of transparency is an essential part of how we work towards our vision of a socially just, accessible and inclusive community.

We build and strongly value relationships with our clients, members, employees, volunteers, funders, government agencies, and other community stakeholders. We recognise that transparency builds trust and understanding and helps those relationships to flourish.

PWDA complies with the PWDA Constitution, the Corporations Act and the Privacy Act, and follows corporate governance principles. These guide us regarding what information we can, must or must not share or disclose to members, stakeholders and the community.

As well as following privacy laws, we must meet other obligations. This means that there is some information we can only share with some people or organisations.

These include minutes of Board meetings or other confidential meetings, confidentiality agreements, commercial in confidence material, requirements set by the NDIA, our constitution, the Corporations Act and any other laws that may apply.

PWDA recognises and upholds the rights of members, clients and employees (including contractors and volunteers) to have their personal information kept private. PWDA's Privacy Policy sets out our commitment to privacy, how we keep personal

information confidential, and people's rights to access their own personal information.

PWDA recognises and upholds the rights of people, including members, clients and employees (including contractors and volunteers), stakeholders and the community to access information about PWDA.

We are pro-active in providing relevant information to all stakeholders and the community. This means we:

- Share timely, relevant, accurate and accessible information about:
 - what PWDA is doing
 - how it is performing, and
 - its governance arrangements
- Report annually to PWDA members
- Make sure stakeholders and the community have opportunities to ask questions and give input and feedback about our work, and
- Report to government agencies as set out in grants and funding contracts.

We also publicly share information about what PWDA is doing in a range of different ways. This includes:

- on our website
- on social media
- in traditional media
- in our annual reports
- in newsletters and blogs
- in policy papers, and
- at stakeholder consultations and presentations.

Guiding principles

PWDA Purpose: To be a leading disability rights, advocacy and representative organisation of and for all people with disability, which strives for the realisation of our vision of a socially just, accessible and inclusive community.

PWDA Guiding principles: as set out in our Strategic Directions.

Transparency and the right to access information: PWDA upholds UNCRPD Article 21: Freedom of expression and opinion, and access to information.

Accessibility: PWDA upholds UNCRPD Article 9: Accessibility. PWDA makes this policy available in the formats people need. There is Plain English and Easy Read information on how we keep personal information private on our website, and in the information pack we give to new service users.

Privacy: PWDA complies with all privacy legislation, regulation and standards including the Privacy Act, UNCRPD Article 22 - Respect for Privacy, protects the right of people with disability to have their privacy respected and upheld, and the National Disability Services Standards.

PWDA Constitution: We follow the rules in our Constitution regarding member access to information.

Quality Management and Safeguarding: PWDA is guided by the National Disability Services Standards regarding the right of service users to privacy and confidentiality, and how we must handle their personal information.

Good governance: The Corporations Act, and ACFID Code of Conduct guide PWDA to comply with transparent legal and contractual reporting obligations.

Risk management: PWDA Board and staff understand their rights and responsibilities regarding access to information, and work to manage any risks regarding providing or not providing access to specific kinds of information.

Continuous improvement: We gather and use feedback about all aspects of access to information at PWDA to continually improve our processes and outcomes.

Roles and responsibilities

Board

The Board is responsible for:

- overseeing reporting to stakeholders and the community about PWDA's performance and financial position.
- considering specific requests for information and deciding whether or not to release the requested information. The Board uses its discretion, as well taking into account its legal obligations to make these decisions.

CEO

The CEO is responsible for making sure:

- all information made available in the public domain is accurate and current.
- there are systems and processes in place to gather and analyse information, and reporting to the Board so that PWDA can meet its reporting obligations and improve how it operates.
- Ensuring all specific requests for information are escalated to the Board for review and consideration.

- PWDA has policies and procedures in place to support access to information, privacy and member's constitutional rights.

All employees:

All Board members and employees are responsible for following and implementing the Access to Information policy.

Procedures

PWDA is pro-active in making sure all stakeholders and the community receive relevant information. PWDA complies with the PWDA Constitution, the Corporations Act and the Privacy Act, and follows corporate governance principles. These help us to know what information we can and cannot share or disclose to members, stakeholders and the community.

The PWDA Privacy Policy contains more detailed information about accessing personal information.

Transparent reporting to stakeholders and the community

We place information about PWDA's activities in the public domain in a variety of formats:

- on our website;
- on social media – Facebook, Twitter and Instagram;
- with 'traditional' media;
- in our Annual Report;
- in newsletters and blogs;
- in policy papers;
- at stakeholder consultations, meetings, and presentations.

We update information regularly, and stakeholders are invited to provide input or feedback at any time. We use PWDA's Compliments, Complaints and Feedback Policy to deal with stakeholder complaints about access to information.

Transparency and Board reporting

The PWDA Board complies with its legal and contractual public reporting obligations which include:

- Reporting annually to the members on PWDA's activities in the preceding year and providing an opportunity for questions and feedback
- Preparing financial reports as required by law
- Preparing an annual report
- Reporting to government agencies in accordance with the terms of grants and funding contracts
- Reporting to the Australian Tax Office
- Reporting to the Australian Charities and Not-for-Profits Commission.

Transparency and client records

PWDA follows its Privacy Policy, privacy laws, and the National Disability Services standards when dealing with client records. Our Privacy Policy contains specific information on how PWDA protects people's information and how people can access their own personal information.

Transparency and employee records

PWDA follows its Privacy Policy, privacy laws, the *Fair Work Act 2009* (Cth), and the National Disability Services Standards when dealing with employee records.

Access to personal information

You can ask to see any personal information we hold about you at any time. We will provide you with suitable means of accessing it, such as by mail or email.

If you believe that the personal information we hold about you is incorrect, incomplete, or inaccurate, then you can ask us to change it. We will consider your request. If we do not agree that there is a good reason for changing the information, we will add a note to the personal information stating that you disagree with it.

We will not charge you for asking to see your personal information or for making any corrections.

The right to privacy, set out in our Privacy Policy, take priority over access to information, even personal information. So, there may be some situations when we cannot let you access the personal information we hold. For example, if giving you the information would interfere with the privacy of other people or if it would be a breach of their confidentiality. If that happens, we will explain in writing why we had to refuse your request.

Information Request Form

Anyone can use the Information Request Form (Attachment 1) to ask PWDA for access to either personal or non-personal information. Please ask us if you need any help to fill in the form.

Related documents

Relevant legislation, regulations and standards

- UNCRPD
- Privacy Act
- Fair Work Act
- National Disability Services Standards
- Corporations Act
- ACFID Code of Conduct

Related PWDA policy documents

- About our Access to Information Policy Easy Read
- PWDA Constitution
- Delegations of Authority Policy
- Board and CEO Relations Policy
- IT and Security Policy
- Records Management Policy and Procedure
- Media Policy
- Social Media Policy Guidelines
- Board Members Code of Conduct and Ethics
- Staff Members Code of Conduct and Ethics
- Compliments, Complaints and Feedback Policy and Procedures
- Privacy Policy

Supporting documents

Attachment 1: Information Request Form

Attachment 1. Information Request Form

Please fill in your name and contact details. Please describe the information you wish to have access to. Tell us as much as you can about the information. This will help us to process your request.

Applicant details

Full Name:.....

Address:.....

.....Postcode:.....

Phone:
(.....).....Mobile:.....

Email:.....

Details of request

I request access to information that is: Personal Not personal

The information I am requesting is:

Signature:

Date:.....