

**POLICY STATEMENT NO. 48**

**FREEDOM OF INFORMATION IN CALM**

**SEPTEMBER 1993**

**1. BACKGROUND**

With the passing of the Western Australian Freedom of Information Act (1992) and the findings of the Royal Commission in relation to the keeping of departmental records, it is necessary to review and streamline CALM's management of its information. With the introduction of the FOI Act due in about October 1993, there is minimal lead time in which to place departmental information systems in a position to be able to respond effectively to the expected demands of FOI.

As of the time of introduction of FOI, it will be necessary to be able to provide access to a large proportion of departmental information, in a very short time frame, and according to a highly structured procedure. Clearly, it will be necessary to have a very complete knowledge, in a central directory, of just what information is held all over the Department.

Some records are exempt from access, on certain defined grounds. Careful consideration will have to be given to which records will be classified as exempt, as this will have to be justified under the terms of the FOI Act.

It is intended to issue a series of circulars and instructions to all staff concerning their obligations and the procedures to be adopted under FOI. A FOI Implementation Committee is currently working on these aspects.

This policy is intended to lay the groundwork for later instructions.

**2. DEFINITIONS**

As defined in the FOI Act, a "record" is any record of information however recorded and specifically includes the following:

- (a) any paper or other material, including affixed papers on which there is writing;
- (b) any plan, diagram or graph;
- (c) any drawing, pictorial or graphic work or photograph;
- (d) any paper or material on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them;
- (e) any article or material from which sounds, images or writing can be reproduced whether or not with the aid of some other article or device;
- (f) any article on which information has been stored or recorded, either mechanically, magnetically or electronically

"Departmental information" refers to any information obtained by an officer due to his or her position within the Department. In addition, information sent to an officer, or acquired by an officer, in any form, is deemed to be departmental information.

### **3. IMPLICATIONS OF FOI FOR DEPARTMENTAL RECORDS MANAGEMENT**

Although CALM has an efficient central records management system in Perth, and each field office has its own records system, there are a number of examples of "satellite" branch filing systems in existence. While in most cases these systems contain only copies of material within the main records system, and they exist only to expedite the work of the branch concerned, there is a clear possibility that additional information could accumulate in them. Therefore every effort has to be made to ensure that information on such files is accessible to Records.

The concept of departmental information would also include information which many officers in the past would have considered private information. These aspects will require careful consideration.

The all-encompassing definition of records in the Act means that "Post-it" notes are included in departmental information. The use of such note is therefore to be avoided, except for routine instructions, for example, as to how to process a particular record.

Gratuitous comments on files about the content of letters or reports are similarly likely to result in embarrassment, both for the Department and for the officer concerned, and are to be avoided. In this context, there is to be no modification of any information already in existence on a file.

Experience with FOI in other States suggests that agencies with a large amount of personal information, such as education, police, prisons and community services, receive most FOI inquiries. CALM is expected to receive relatively few inquiries of this nature. The bulk of FOI inquiries we expect to receive will be in the policy area, and may involve a significant research workload.

FOI has the potential to greatly increase the work load of a number of sections of the Department, but no extra resources will be made available to cope with this increase. While it is intended to streamline the FOI process as much as possible there is a limit to the benefits to be gained by efficiency. As far as possible, FOI requests will be minimised by making as much information as possible freely available in formal publications and reports. Apart from that aspect, the Department will take a positive approach to minimise the additional workload associated with the refusal to make records available.

It should be noted that the requirements of FOI apply to all officers of the Department and all officers. Applications under FOI may be received at any office of the Department.

### **4. POLICIES**

- 4.1 CALM will comply fully with the spirit of the FOI Act.
- 4.2 CALM will provide an efficient framework for the handling of FOI applications, and ensure that courteous, open and consistent responses are given to all applications.
- 4.3 An inventory of all information resources will be carried out by Records Branch.
- 4.4 All departmental information resources will be made accessible through a central register of information in Records Branch.

- 4.5 In line with the requirements of the FOI Act, an information statement will be prepared setting out all types of information held in the Department.
- 4.6 An FOI Implementation Committee will oversee the process of making CALM ready for the introduction of the Act. Contact with the Implementation Committee is through the Manager, Records at Como.
- 4.7 Suitable training will be undertaken to ensure that all relevant officers are aware of their obligations under the FOI Act.
- 4.8 Clear guidelines for classification of records as exempt will be developed.
- 4.9 Charges for FOI applications will be advised shortly. It is expected there will be a Government-wide instruction on FOI charges.
- 4.10 The FOI Coordinator will be Mr Mark Brabazon at Crawley in the first instance. He will be assisted by Mr McGill.

Syd Shea  
EXECUTIVE DIRECTOR

2 September 1993

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