



ACCESSING INFORMATION HELD BY COUNCIL POLICY

Type:	Corporate Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director, Corporate Services		
Approval Date:	April 2022	Next Review:	April 2023
Records Number:		Council/CEO Decision:	CEO
Legislation Reference:	Section 15 of the <i>Information Act 2002</i>		

1 PURPOSE

The *Information Act 2002* (the Act) gives the public a general right of access to information held by Katherine Town Council and the right to apply to have personal information changed if it is inaccurate, incomplete or out of date. The Act also requires that the Council respects your privacy in the way it collects and handles personal information.

This policy complement's Council's Privacy Policy and provides information about how information held by Council can be accessed.

2 SCOPE

This policy applies to applications made to access information held by Council, by any individual or organisation, or correct personal information held by Council.

3 DEFINITIONS

Person means an individual and includes a deceased individual within the first 5 years after death.

Personal information means information that discloses a person's identity or from which a person's identity is reasonably ascertainable.

Record means recorded information in any form (including data in a computer system) that is required to be kept by a public sector organisation as evidence of the activities or operations of the organisation and includes part of a record and a copy of a record.

4 DETAILS

Council holds information and records on behalf of the Katherine community and the public has a right to access this information, with some limitations as outlined in the Act.

Some information is freely available on Council's website, or may be available simply by asking in person, or over the phone. Other information may need to be requested under the Act by completing an application form and paying a fee.

INFORMATION FREELY AVAILABLE

The following information is available free of charge on Council's website:

- Council Policies
- Elected Members' Code of Conduct and policies
- Members' Interest and Gifts Register
- Municipal Plan for the current year and last three years
- Budget for the current year
- Long Term Financial Plan (4 years)
- Schedule of Fees and Charges for the current year
- Declaration of Rates for the current year and last two years
- Annual Report for the current year and last five years
- Council and Committee Meeting Agendas and Minutes for the current year and last five years
- Available and awarded tenders
- Council Strategies (TBC)
- List of categories of reviewable decisions (TBC)
- Public notices as required from time to time.

These documents can also be viewed at the Customer Service Desk. There is no fee to view these documents. Please note that if you request photocopies, charges may apply to cover the reasonable cost incurred in providing these.

It is recommended that, before you make an application under the Act, you approach staff at the Council and ask whether the information is available.

MAKING AN APPLICATION TO ACCESS INFORMATION

Individuals can apply to access information held by Council using the Request for Katherine Town Council Information form available on the website.

Council requires proof of your identity before it accepts your application, either a:

- Current driver's licence, or
- Current passport, or
- Other generally accepted proof of identification.

If you are asking only for information about yourself, there is no application fee and no processing fee for the time it takes.

If you are asking for more than just information about yourself, then there is a \$30 application fee and a processing fee of \$25 per hour. There may be some additional costs such as photocopying. Council will advise you of the estimated processing fees and may ask for a 50% deposit. You will have to pay the balance of the fees before you are given the information.

You may ask for a waiver or reduction of fees. The Council will consider the financial circumstances of the applicant and the objects of the Act. The Chief Executive Officer will determine whether fees are to be waived or reduced.

Further information about applying to access information is available by contacting Council at records@ktc.nt.gov.au.

DECISION PROCESS

The Act provides that a response will usually be given within 30 days. However, this period may be extended in some circumstances, such as if the Council needs to consult with a third party whose information has been requested, or if a large volume of information is requested. The time period will pause when you are asked to pay a deposit, and restart when it is paid.

In some situations, there may be reasons why some information cannot be released. For example, it may breach another person's privacy or be damaging to a business. If so, you will be given reasons in writing for the decision.

You will also be told of your right to ask for a review of the decision. Your first option is to ask for an internal review by Council. If you are still not satisfied, you can complain to the Information Commissioner.

CORRECTING PERSONAL INFORMATION

If you believe Council holds personal information that it is inaccurate, incomplete or out of date, the Act gives you the right to apply to correct the personal information. There is no fee for this just provide your request in writing to records@ktc.gov.au.

The Council may make the correction requested in the application, refuse the application, or make a correction different to the application. If you are of the opinion that the information as corrected is inaccurate, incomplete or out of date, you are entitled to request that a statement to that effect is placed with the corrected personal information. Council is not required to correct personal information that is historical only.

5 ASSOCIATED POLICIES/DOCUMENTS

Privacy Policy

6 REFERENCES AND RELATED LEGISLATION

Information Act 2002

Information Regulations 2003

Northern Territory Information Commissioner <https://infocomm.nt.gov.au/freedom-of-information/overview>

Revision History

Version	Approval date	Details of change	Responsible officer
1	Approval	Created	Director, Corporate Services