

Right to Information and Privacy Publication Scheme Approval Policy

Effective date: 11 November 2020

Version: 1.2

1. Purpose

Section 21 of the *Right to Information Act 2009* (RTI Act) requires that an agency, other than an excluded entity, must publish a scheme setting out the classes of information and the terms on which it will make information available. Section 21(3) further provides that an agency must ensure that its publication scheme complies with guidelines published by the Minister.

This Department of Justice and Attorney-General (DJAG) Publication Scheme Approval policy aims to:

- provide a single clear approval process for approving information forming the Department's Publication Scheme¹
- ensure the integrity and high quality of information published
- ensure that approval for publication can be obtained within a reasonable time
- achieve compliance with legislative requirements and Ministerial guidelines
- ensure information is maintained and updated as required
- enable reporting on compliance with legislation, guidelines and other publication scheme directives
- promote maximum disclosure of information, subject to appropriate limitations (e.g. privacy)
- provide a clear authorising environment for publishing information, and encourage the publication of new information
- set out who is responsible for each stage of the process
- provide for Communication Services (CS) to advise about related issues such as distribution, design and budget
- comply with record keeping requirements

2. Coverage

This policy applies to all documents to be published on the Department of Justice and Attorney-General's website (www.justice.qld.gov.au).

It **does not** apply to:

- publication of Cabinet material²
- personal information
- publication of information in a disclosure log established under section 78 of the RTI Act³

¹ This includes all material published on the internet

² Contact Executive Services Branch for further information

³ Contact RTI and Privacy for further information



- approvals processes required for communication strategies, merchandise, educational and promotional products, display materials and banners⁴
- publication of documents on the intranet - a simpler approval process applies

3. Regulatory framework

3.1 Legislation

Section 21 of the RTI Act requires agencies to establish a publication scheme containing information (grouped in seven classes) which is made routinely available to the public.

3.2 Guidelines

The RTI Act also provides that agencies must ensure their publication scheme complies with any guidelines published by the Minister. The [Ministerial Guidelines - Operation of Publication Schemes and Disclosure Logs](#) requires documents published under the publication scheme to be:

Significant - for example key initiative and policy documents⁵

Appropriate - having regard to existing legislation, privacy principles and security issues

Accurate - all efforts should be made to ensure that information included is accurate, in terms of what has already been published, or what may be published on the particular topic

For further information and guidance refer to:

Office of the Information Commissioner's guideline [Proactive disclosure and publication schemes](#); and
 DJAG *Guide to Classifying Information Holdings for Uploading to Publication Scheme (Appendix 1)*.

The publication scheme primarily contains non-personal information, with the exception of routine personal work information of public service officers, such as work email addresses, work phone numbers and the mention of an officer as having responsibility for a project⁶.

For the purposes of this policy, all internet content is classified as part of the Department's publication scheme.

⁴ Contact Communication Services for further information.

⁵ In considering what information is significant, agencies should consider:

- what information is important to the community
- what information key stakeholders and the community expect to know
- the level of demand for a category of information
- whether the information is needed by the community to solve or effectively work in partnership with government to solve problems currently faced by government
- whether the information is needed by the community to prepare itself for future challenges, such as increasing climatic events associated with climate change
- whether the information will facilitate industry development, efficient markets and growth in trade and commerce
- whether the information promotes community well being

⁶ For further detail, see the Office of the Information Commissioner's guideline, [Routine personal work information of public sector employees](#).

4. Approval process for publishing material

The following process has been developed to meet the requirements listed above.

1. Documents are identified within business units as suitable for publication (i.e. significant, appropriate and accurate).
2. Documents identified under step 1 are checked by Directors (business unit Managers) to ensure the content meets departmental and other publication standards. This includes ensuring the content:
 - does not contain personal information
 - is not defamatory
 - does not contain information received in confidence from a third party or which is protected by contract
 - would not breach other legislation if disclosed
 - would not result in substantial harm if disclosed
 - complies with copyright and licensing requirements
 - conforms with Departmental style
3. Directors forward approval and documents to Communication Services.
4. Communication Services publishes page content on the DJAG website and documents on the Publications Portal.

5. Accountabilities and delegations

5.1 Responsibility for maintaining material

The DJAG Intranet publishing policy states:

Managers and directors are responsible for the content that appears on pages connected with their business unit. It is the responsibility of each business unit manager to regularly check their internet and intranet pages for accuracy and keep content up-to-date, this includes the Publication Scheme.

6. Review

The Publication Scheme Approval Policy will be reviewed every three years by Right to Information and Privacy.

7. Related Policies

The following policies are also relevant:

- [DJAG approvals process](#)
- [Changing online content](#) section of the intranet.