



Australian Government



Northern Australia Infrastructure Facility

Freedom of Information Policy

June 2018

www.naif.gov.au

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Document Purpose

The purpose of this document is to set out the Northern Australia Infrastructure Facility's (NAIF) approach to and management of access to information, including how the NAIF will comply with its obligations under the *Freedom of Information Act 1982 (Cth)* (FOI Act). This policy is periodically reviewed and is effective upon approval.

1. Introduction

The broad objective of the FOI Act is to give the public the right to access documents held by the Australian Government. As a corporate Commonwealth entity, the NAIF is required to comply with the FOI Act.

The FOI Act gives members of the public the right to:

- access copies of documents (except exempt documents) held by the NAIF;
- ask the NAIF to change or annotate information if it is incomplete, out of date, incorrect or misleading (where the information relates to the person making the request); and
- seek a review of a decision not to allow access to a document or not to amend their personal records.

While a member of the public can ask to access any document held by the NAIF, the NAIF can refuse access to some documents, or parts of documents that are exempt. Exempt documents may include those relating to national security or documents containing material obtained in confidence.

2. Compliance with the FOI Act

The NAIF is a corporate Commonwealth entity and is subject to the FOI Act.

The NAIF is also required to comply with the Information Publication Scheme (IPS) requirements of the FOI Act. In accordance with section 8(1) of the FOI Act, the NAIF's IPS Plan describes how the NAIF complies with the IPS and how it will implement and administer the IPS.

This Policy sets out the principles NAIF will follow in order to make information accessible in accordance with the FOI Act.

2.1 FOI Officer

The NAIF has appointed the NAIF Chief of Staff as the first point of contact for information access requests made to the NAIF. All information access related matters should be referred to the NAIF Chief of Staff.

In undertaking these functions, the NAIF Chief of Staff will follow NAIF procedures for handling information requests and will be guided by the resources published by the Office of the Australian Information Commissioner (OAIC).

All NAIF staff must follow NAIF procedures when handling information requests.

The NAIF Chief of Staff can be contacted at naif@naif.gov.au

Address: PO Box 4896, Cairns QLD 4870

3. NAIF Information Publication Scheme

As required by the FOI Act, the NAIF has an Information Publication Scheme Plan. The NAIF IPS Plan is set out at Annexure A and is available on NAIF's website.

4. NAIF Information Disclosure Log

In compliance with the FOI Act, the NAIF will make certain documents released in response to FOI requests available on its website.

5. Principles

5.1 Open access to information

While NAIF will endeavour to be as open as possible, there are certain provisions in the FOI Act, the Privacy Act and other legislation that may restrict the information the NAIF may be able to provide to applicants. For example, if a person seeks a document containing the personal information of another person, there are provisions in the FOI Act and the Privacy Act that apply to protect that information.

Where the NAIF is unable to grant a request for access to information, we will always explain the reasons for the decision and provide information about review and appeal rights.

5.2 Information available outside of the FOI process

NAIF is committed to keeping its Information Publication Scheme and Information Disclosure Log as up-to-date as possible and will, where it is possible and lawful to do so, provide information without requiring a formal FOI request.

Where it is necessary for an FOI request to be made, or where a member of the public refers to the process, NAIF will explain our FOI process, provide a contact person for the information applicant, and respond within the timeframes required by the FOI Act.

An FOI request may be made to NAIF via an email sent to naif@naif.gov.au or by a letter addressed to the Chief of Staff, referring to the FOI Act, sent to PO Box 4896, Cairns QLD 4870.

5.3 Simple and transparent process

NAIF will ensure that its process for providing access to information is straightforward, timely and easy for people to understand.

NAIF will always provide information applicants with details of their review options with the NAIF, to the OAIC or the Commonwealth Ombudsman.

5.4 Charges associated with access to information

NAIF will make information available at the lowest reasonable cost and will reduce the cost of public access by publishing information online, especially information that is routinely sought by the public.

6. Review and Approval

This Policy will be reviewed by the NAIF Board annually, or more frequently if required, to approve material changes to ensure it remains aligned with governing legislation and best practice.

The Manager, Governance, Compliance and Risk will ensure material changes to this Policy are communicated to Staff in a timely manner.

ANNEXURE A

NAIF Information Publication Scheme Plan

1. Purpose

This Plan shows:

- what information NAIF publishes;
- how the information is published; and
- how NAIF otherwise complies with the Information Publication Scheme (IPS) requirements under section 8(1) of the FOI Act.

In this Plan information published or to be published by NAIF under the IPS is referred to as “IPS information holding”.

2. Objectives

NAIF’s objectives in relation to this Plan are to outline appropriate mechanisms and procedures to:

- manage the IPS information holdings relevant to NAIF’s compliance with the IPS;
- proactively identify and publish all information legally required to be published, including this Plan, in accordance with section 8(2) of the FOI Act;
- proactively identify and where practicable publish optional information, in accordance with section 8(4);
- review on a regular basis and ensure that IPS information holdings are accurate up-to-date and complete;
- make arrangements so that information published under the IPS is easy to locate, understandable, machine readable and re-useable;
- make arrangements so that the format of online content complies with Web Content Accessibility Guidelines (Version 2); and
- monitor and access NAIF’s compliance with the IPS and this Plan.

3. Implementing the IPS

NAIF’s approach to developing its IPS contribution is:

- NAIF’s Chief of Staff is responsible for leading its work on the NAIF’s compliance with the IPS.
- NAIF has developed an IPS information register required to be published under the IPS and a ‘disclosure log’ of information released in response to FOI requests.
- The IPS information register is reviewed periodically to identify any IPS information holdings and ensure that the information is up-to-date and complete.
- NAIF takes a similar approach in relation to the identification of information that may be published under section 8(4) (optional information) and information that is made available to the public otherwise than by publication (section 8A(2) (third party publication). The IPS section of our website provides links to the IPS information holdings published on our website.
- In our reviews NAIF will consider whether IPS information holdings are easy to locate, understandable, machine-readable, accessible and useable, as well as accurate, up-to-date and complete.
- NAIF will also consider comments and feedback from our stakeholders (including the public) when determining whether IPS information holdings are easy to locate, understandable, machine-readable, accessible and useable, as well as accurate, up-to-date and complete.

4. Administering information published under the IPS

NAIF has developed an information management framework for IPS information holdings including:

- identifying on an ongoing basis any information that is required to be published;
- identifying on an ongoing basis any information that may be published;
- identifying on an ongoing basis any information that is already otherwise available to the public;
- making arrangements so that IPS information holdings continue to be easy to locate, accessible and useable, as well as accurate and up-to-date; and
- making arrangements to publish information about any charges to be imposed for providing IPS information, including how those charges will be calculated.

NAIF's Chief of Staff is responsible for implementing, reviewing and revising this Plan.

Each relevant business unit of NAIF is responsible for keeping IPS information holdings accurate, up-to-date and complete.

NAIF does not impose access charges for its IPS information holdings. If this changes, NAIF will update this Plan to provide details of how the NAIF will impose access charges and how they will be calculated.

The NAIF may engage in public consultation in relation to policies which form part of NAIF's IPS information holdings.

5. IPS information architecture

NAIF publishes the information required under the IPS in the IPS section or other sections of its website. If the information is not available for download, it will be made available in hard copy on request. Details of how this information can be obtained from NAIF are provided on this website.

To make arrangements so that IPS information holdings are easy to locate, understandable and machine-readable, NAIF will:

- wherever possible, provides online content in a format that can be searched, copied and transformed;
- provides a search function for its website; and
- seeks and responds to community feedback about whether the IPS information is easy to locate, understandable and machine-readable.

NAIF publishes IPS information holdings in English.

The IPS information holdings that are available on our website are published under the following headings:

- Agency Plan
- Who we are
- What we do
- Our Board
- Our responses to Parliament
- Our Annual Reports
- Routinely requested information and disclosure log
- Consultation arrangements and
- Contact us.

These headings are reviewed and supplemented as necessary if NAIF's structure or business changes or on any annual review of this Plan.

6. Accessibility under the IPS

NAIF implements the World Wide Web Consortium Standards and Web Accessibility Initiative Guidelines for accessible web page design by people with disabilities. NAIF meets the World Wide Web Consortium's Web Content Accessibility Guidelines version 2.0 ("WCAG 2.0") web standard endorsed by the Australian Government for all online information it is required to publish under the IPS and any new documents to be published in the IPS section.

Where a document is not yet available in an accessible format, it will be made available in an accessible format on request by contacting NAIF's Chief Executive Officer. Those requests may be subject to a small number of exceptions including:

- PDFs made of images of scanned documents;
- documents that are out of date but are provided for historical reference; and
- charts, tables and forms.

7. Information required to be published under the IPS

We will publish information in accordance with section 8(2) under the following headings:

- Agency Plan: The Agency Plan is this plan.
- Who we are: This includes an organisational chart and information about our Board, including statutory appointments.

- What we do: This outlines NAIF's functions and decision-making powers. We also publish other helpful and relevant information relating to these functions and powers. This includes NAIF's operational information to the extent that information is not considered to be exempt (see note below).
- Our board: This includes information about our corporate governance structure, board, its charter and board audit committee.
- Our responses to Parliament: The NAIF's does not routinely provide information to Parliament but this heading will be established to contain any information which may fall within that category.
- Our Annual Reports: This will include the full text of NAIF's Annual Reports prepared in accordance with the Public Governance Performance and Accountability Act 2015 (Cth).
- Routinely requested information and disclosure log: This will include information, if any, routinely made accessible in response to FOI requests. We also publish a disclosure log which will identify documents to which NAIF has given access under the FOI Act.
- Consultation arrangements: Where NAIF undertakes or is required to undertake public consultation on a policy, it will make available information on the procedure for public submissions.
- Contact us: This includes the name, telephone number and email address of the Chief Executive Officer who can be contacted about access to NAIF's IPS information holdings or to whom a request under the FOI Act can be made.

In accordance with section 8C of the FOI Act, we will not publish any exempt matter.

8. Other information to be published under the IPS

In addition to the information that NAIF already publish on its website, NAIF will publish, such other optional information in accordance with section 8(4).

8. IPS compliance review

NAIF will undertake, in conjunction with the Information Commissioner, a first review of the operation of the NAIF's IPS contribution within the timeframes set out in section 9(2).

Following this first review, we will undertake, in conjunction with the Information Commissioner, a review of the operation of NAIF's IPS contribution as appropriate from time to time and in any case – within five years after the last review was completed.