

Policy Statement and Objective

The purpose of this TIPP is to promote proactive public release of Treasury information in compliance with the *Government Information (Public Access) Act 2009* (the GIPA Act) and provide a governance framework for the proactive release of Treasury information.

Scope

This procedure applies to all employees of NSW Treasury, including contractors and temporary workers undertaking work for NSW Treasury.

The GIPA Act authorises and encourages the proactive release of government information by agencies. This policy provides details of Treasury's legislative obligations, as well as the steps involved in proactively releasing government information in accordance with sections 6 (Mandatory Proactive Release) and 7 (Authorised Proactive Release) of the GIPA Act.

1 Guiding Principles

- The object of the GIPA Act is to promote fair, transparent and accountable government by opening government information to the public.
- Treasury is authorised to make any government information held by Treasury publicly available, unless there is an overriding public interest against disclosure of the information.
- Treasury is committed to proactively releasing its information, unless there is an overriding public interest against disclosure.
- The information released should be available to members of the public for free (or at the lowest reasonable cost).

2 Procedure

This procedure outlines the process for identifying, reviewing and obtaining approval to proactively release information.

2.1 Identifying information for proactive release

- All staff are responsible for identifying government information held by Treasury for proactive release.
- Examples of information that may be considered for proactive release include:
 - fact sheets, factual information and reports
 - Treasury publications
 - internal manuals
 - discussion/research papers
 - guidelines that relate to employment conditions and managing staff.

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A3755760	Deputy General Counsel, Information Access and Transactions, Office of General Counsel.	17/06/2011	31/05/2022	31/05/2023

Open access information

- Agencies must publish certain information on their website, free of charge. This includes:
 - a register of government contracts;
 - documents tabled in Parliament;
 - policies that affect members of the public;
 - a disclosure log of information released following a formal GIPA decision;
 - an Agency Information Guide;
 - a record of any open access information that is not made publicly available due to an overriding public interest against disclosure.
- Treasury's compliance with its open access information obligations are coordinated by the Information Access and Transactions Branch within Office of General Counsel.
- Procurement is responsible for the contracts register, ensuring all Government contracts with the private sector to the value of \$150,000 or more have mandatory information disclosed on the eTendering website within 45 days after the contract becomes effective.

2.2 Assess information for release

- Information identified for proactive release is to be reviewed for any public interest considerations against disclosure of the information; see Schedule 1 and the section 14 Table of the GIPA Act. The Information Access and Transactions Branch within Office of General Counsel will provide advice to the business area in conducting the review.
- For more information about public interest considerations, you may wish refer to the Information and Privacy Commission factsheet.

2.3 Approval of information for proactive release

- All members of the Extended Leadership Team (ELT), and the Deputy General Counsel, Information Access and Transactions, are authorised under section 7 of the GIPA Act to proactively release information under the GIPA Act.
- Business areas will review their information holdings with a recommendation for their ELT member on whether documents should be proactively released.
- Once approved by the relevant ELT member or the Deputy General Counsel, Information Access and Transactions Branch, the Communications team will publish the information on the Treasury website or elsewhere as appropriate.

3 Key Stakeholders

3.1 Business Area

Business areas from across Treasury have responsibilities including:

- Promoting Treasury's compliance with relevant open government instruments
- Actively identifying documents and datasets within Treasury that could be of public interest and proactively released
- Monitoring proactive release efforts of Treasury.

3.2 Information Access and Transactions Branch

The Information Access and Transactions Branch is responsible for:

- Providing expert advice regarding the statutory obligations under the GIPA Act as they relate to the proactive release of information

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- Monitoring Treasury’s proactive release of government information, and maintaining the proactive release register
- Reviewing Treasury’s proactive release policy annually
- Actively engaging in, and providing assistance to Business areas in identifying information for proactive release.

4 Further assistance

For further advice and assistance, please contact the Information Access and Transactions Branch, Office of General Counsel, - gipa@treasury.nsw.gov.au .

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Annexure 1

Decision: Proactive release of Treasury information			
Division/Branch:	Contact/Ext:	Date:	
Record Title:			
Purpose for the record's creation:			
Actual applied use of the record:			
Benefits of the information being released to the public:			
Does the information fall within any of the 12 categories of excluded information as set out in Schedule 2 of the GIPA Act?			
Identify and explain all relevant public interest considerations against disclosure as set out in the GIPA Act:			
Does the record contain third party information? Has consultation been undertaken and have any issues against disclosure been identified by the third party? Does the third party otherwise support proactive release?			
Have you noticed a theme or pattern in the request of this type of information (for example, multiple GIPA applications, Questions on Notice, media enquiries)? If so, provide details.			
Provide details about how the information is to be proactively released (e.g. website or available in hard copy upon request – please provide lowest reasonable cost for hard copy option). If it is not possible to publish on the website, please provide details about how this information may be accessed and a contact person.			
<input type="checkbox"/> Treasury Website <input type="checkbox"/> Data NSW <input type="checkbox"/> OpenGov NSW <input type="checkbox"/> Other			
Checklist		YES	NO
Does the information relate to the function of Treasury?			
Is the information current and accurate?			
Has the information undergone the public interest test as set out in the GIPA Act?			
Will the release of the information allow members of the public to better understand Treasury			
Is there a formal access application under the GIPA Act on foot for the same information as proposed to be proactively released (IAG Unit to advise)?			
Will the information need to be de-identified?			
Is this information already in the public domain?			
Has the Information Access and Transactions Branch been consulted?			

Approvals

Delegate	[insert name, position]	[insert date]
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