DIVISION OF THE UNIVERSITY SECRETARY

THE UNIVERSITY OF ADELAIDE AUSTRALIA

FREEDOM OF INFORMATION POLICY

Authorised by: Council

Date of authorisation: 5/8/02

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1. OVERVIEW

The University of Adelaide is an "agency" under the South Australian Freedom of Information (Miscellaneous) Amendment Act 2001. The University recognises its responsibility to make available information as requested in accordance with the Freedom of Information (Miscellaneous) Amendment Act 2001 and the Freedom of Information (FOI) Act 1991.

2. SCOPE

The University FOI Policy, in accordance with the FOI Act, applies to all officers of the University and any part of the University that is subject to the authority of the University Council. Any documents created and received by any University officer in the course of their duties may be subject to an FOI application. University records of any format may be subject to an FOI application including emails and electronic data stored within databases, servers and hard disks (Section 4, FOI Act).

Documents created prior to 1 January 1987 are not covered by FOI legislation (Section 20, FOI Act).

FOI access is subject to the exemptions cited in the Act (Schedule 1, FOI Act).

3. DEFINITIONS

In this Policy, “document” is used to describe all forms of records including, but not limited to, any written document, photographs, audio-visual media, maps, plans, graphs, drawings, information stored electronically or using alternative media such as microfiche (Section 4, FOI Act).

An “accredited FOI Officer” is a staff member who has completed accredited training in Freedom of Information.

4. POLICY

4.1 FOI Applications

(a) The University will consider every application with the aim of assisting the public to know and understand its processes of administration and management (Section 3, FOI Act).

(b) FOI applications must be dealt with by an FOI accredited officer (Section 14, FOI Act).

(d) FOI applications must be made using an FOI application form and be accompanied by an application fee of $20.60. Other charges, including copying fees, may be levied in accordance with the Act (Section 53, FOI Act).

(e) Applications must be sufficiently specific and clear for relevant documents to be identified. The University will endeavour to aid applicants to develop such applications (Section 15, FOI Act).

(c) FOI applications will be processed within 30 days. Where it is necessary to extend the response time for processing an application due to the large number of documents, or the scale of search required to identify documents, the applicant will be notified in writing within 20 days after the application is received (Section 14A, FOI Act).

4.2 Denied Applications

(a) The University may refuse to deal with an application under the following circumstances (Section 18, FOI Act):

(i) The nature of the application is such that the work involved in processing the application would place a substantial and unreasonable burden on the University's resources and undermine the University's functions.

(ii) The application is deemed to be part of a pattern of conduct that amounts to an abuse of the right of access.

(iii) A requested payment of an advance deposit under the Fee Schedule has not been presented.

(b) The University will provide written notification to applicants where the University refuses to deal with applications in accordance with 4.2(a).

4.3 Exempt Documents

(a) The University may deny full or part access to documents in accordance with the categories of exempt documents as described by Schedule 1 of the FOI Act. Exempt categories may include documents relating to (Schedule 1, FOI Act);

(i) the personal affairs of any person

(ii) law enforcement and public safety

(iii) trade secrets or information of commercial value

(iv) internal deliberative processes (may include research; opinion, advice, recommendations leading to decisions)

(v) information given and received in confidence

(vi) information which if released would prejudice the effectiveness of examination processes

(vii) legal advice or judicial proceedings

(viii) purpose or results of research

(ix) submissions specifically prepared for University Council

(b) Documents may also be withheld if their disclosure would be contrary to the public interest.

(c) Personal papers held by University libraries or the University Archives are exempt.

(d) University publications that are available for sale are exempt.

4.4 Requests to Amend a University Record

An FOI applicant may make a written request for the correction or amendment of a current record relating to the applicant if it is inaccurate, incomplete, or out of date, or where it would give a misleading impression (Section 30, FOI Act).

4.5 Access to University Records Outside the FOI Act

There are records that the University makes available without reference to the FOI Act. This includes the following classes of records and circumstances of access:

(i) An individual may access the personal information the University holds about them and correct inaccurate information as appropriate.

(ii) Council and Committee records of a non-confidential nature can be made available by request to the relevant administrative or academic unit.

(iii) Open access records deposited in the University Archives can be accessed by application to the Archives.

4.6 Internal Appeal of FOI Decisions

An applicant may appeal a decision to deny access by lodging a request for a review of an FOI decision within 30 days of the relevant FOI determination. This review is

conducted by the Vice-Chancellor who will inform the applicant of the result of the review within 14 days of receiving the request for review (Section 29, FOI Act).

4.7 External Appeal of FOI Decisions

An applicant dissatisfied after the determination of an internal review may appeal to the State Ombudsman under the FOI Act (Section 39, FOI Act).

4.8 Reporting for FOI Obligations

The University will make publicly available an up-to-date information statement as prescribed by the Act. This statement will cover the structure and functions of the University, the relationship of the University to the public, the kinds of documents held by the University, list of University policy documents and the arrangements for public access to University documents (Section 9, FOI Act).

5. RESPONSIBILITIES

(a) The Division of the University Secretary is responsible for coordinating policy implementation, maintaining FOI procedures and reporting requirements, and processing all FOI applications.

(b) Human Resources is responsible for ensuring new staff members receive a copy of the Policy.

(c) The Division of the University Secretary is responsible for ensuring that all students and all current staff members have access to the Policy.

(d) All individuals employed and engaged by the University are responsible for adhering to the provisions of the Policy.

(e) All managers are responsible for ensuring cooperation with the University's accredited FOI Officers as they respond to FOI applications.

6. DISSEMINATION

(a) The Policy will be included in the information package provided to all new members of staff.

(b) The Policy will be available on the Centralised Library of University Documents (CLOUD).

(c) The Policy will be promoted in the Rules and Procedures section of the Student Guide and Timetable, or other appropriate publications, each year.