

## Introduction

The purpose of this policy is to ensure that CleanCo Queensland Limited (**CleanCo**) complies with its obligations and releases information in accordance with the *Right to Information Act 2009* (Qld) (**RTI Act**) and related guidelines and arrangements.

This policy applies to CleanCo and to any subsidiary companies of CleanCo.

## Background

### Application of RTI Act

The RTI Act does not apply to the functions of CleanCo or any subsidiary companies of CleanCo, except in so far as those functions relate to community service obligations. This means that the RTI Act will only apply to documentation received or brought into existence by CleanCo for the purposes of its community services obligations.

As a Queensland Government Owned Corporation, CleanCo has adopted the Queensland Government's 'push' model for the routine and proactive release of information into the public domain, even where the RTI Act does not apply. CleanCo will comply with the Government Owned Corporations Release of Information Arrangements (**Arrangements**).

Any documents provided by CleanCo to Government agencies will be subject to the RTI Act.

Under the *Information Privacy Act*, individuals have a right to be given access to, and apply for amendment of, any documents received or brought into existence by CleanCo to the extent the document contains the individual's personal information. CleanCo has a separate Privacy Policy that details the process for applications under the *Information Privacy Act*.

## Key Obligations

The key obligations imposed on CleanCo by the RTI Act and the Arrangements are to:

- Comply with the RTI Act by processing written applications with respect to CleanCo's community service functions made under and in accordance with the RTI Act.
- Release information about CleanCo into the public domain via its publication scheme, unless there are good public interest reasons for not doing so.

## Roles and responsibilities

- The **CleanCo Board** is accountable for ensuring an appropriate framework exists governing the proactive and routine release of information by CleanCo in accordance with Government policy and, where applicable legislative provisions.
- The **Chief Executive Officer** is accountable for implementing and administering the proactive and routine release of information by CleanCo. The chief executive officer designates responsibility for the operation of CleanCo's release of information process to the Company Secretary.

- The **Company Secretary** is the senior executive that is responsible for CleanCo's release of information process. This includes
  - Ensuring the regular review (at least quarterly) and updating of CleanCo's publication scheme on the CleanCo website to ensure it is current and accurate
  - Maintaining CleanCo's Disclosure Log
- The **RTI Officer** is the primary contact within CleanCo for enquiries under the RTI Act and is responsible for processing and deciding RTI applications in accordance with the RTI Act and in consultation as required with CleanCo personnel. The RTI Officer is the Company Secretary.
- The **RTI Review Officer** must hold a more senior role within CleanCo than the RTI Officer and is responsible for deciding applications for internal review of the RTI Officer's decisions in accordance with Part 8 of the RTI Act. The RTI Review Officer is the General Manager Corporate Services.

## Actions

### Publication Scheme

CleanCo will, in accordance with the Arrangements:

- Establish, maintain and publish on the CleanCo website information in a publication scheme consistent with the Arrangements. The publication scheme will include the types of information that private sector public companies that compete in commercial competitive markets publish on their website or make available to shareholders.
- Review the information in the publication scheme at least quarterly to ensure it is up-to-date and accurate.

### Processing RTI Applications directed to CleanCo

CleanCo will respond promptly to RTI applications in accordance with the RTI Act.

The RTI Officer will be the first point of contact for an RTI enquiry. Other CleanCo employees who are contacted by an applicant seeking access to information under the RTI Act should:

- explain that it is not their role to handle RTI enquiries;
- refer the applicant to the RTI Officer and to CleanCo's Publication Scheme and Disclosure Log on the CleanCo website; and
- advise the RTI Officer of the enquiry.

Applications under the RTI Act will be managed and processed by the RTI Officer, in accordance with the RTI Act and any applicable guidelines and CleanCo's Right to Information Procedure.

### Processing RTI Internal Review Applications

Applications for internal review of a decision made by the RTI Officer will be determined by the RTI Review Officer within 20 business days of the review application being made and otherwise in accordance with the RTI Act.

### Disclosure Log

CleanCo will:

- Establish and maintain a Disclosure Log on CleanCo's website consistent with the requirements of the RTI Act, the Arrangements and any applicable Ministerial Guidelines.

- Make available to the public, through web links or administrative arrangements, information listed in the Disclosure Log.

### Third Party Consultation

CleanCo may be consulted by another government agency that has received an RTI application seeking CleanCo's views on the release of documentation that could reasonably be expected to be of concern to CleanCo (**Third Party Consultation**). Any Third Party Consultation will be managed and processed by the RTI Officer.

The RTI Officer will:

- provide an initial response or acknowledgement to the referral agency;
- gather information from relevant sources;
- determine and prepare a response to referral agency;
- brief relevant CleanCo employees of action and referral agency decision;
- (if required) determine and prepare an appeal of any referral agency decision to disclose material; and
- consider inclusion of any disclosed material in publication scheme.

### Compliance

Any breach of the obligations contained in this policy may result in disciplinary action being taken up to and including termination of employment or other engagement by CleanCo.

### General

This policy summarises CleanCo's release of information obligations and how CleanCo will ensure compliance with these. This policy is not a term of any contract, including any contract of employment and does not impose any contractual duties, implied or otherwise, on CleanCo. This policy may be varied by CleanCo from time to time.

This policy is required to be reviewed, as a minimum, annually or as legislation changes.

### Definitions

The following definitions apply to this policy:

Arrangements	Government Owned Corporations Release of Information Arrangements
CleanCo	CleanCo Queensland Limited
Disclosure Log	Refers to the disclosure log required under section 78A of the RTI Act
RTI	Right to information
RTI Act	<i>Right to Information Act 2009 (Qld)</i>

#### Document governance

<b>Title:</b>	Right to Information and Release of Information Policy
<b>Approved by:</b>	CleanCo Queensland Board
<b>Periodicity of review:</b>	Annual
<b>Approved:</b>	June 2019