

National Environment Protection Council
National Environment Protection Council Service Corporation

Freedom of Information

Information Publication Scheme

Agency Plan

Contents

| | | |
|-----------|---|----------|
| 1. | INTRODUCTION | 3 |
| 2. | PURPOSE | 3 |
| 3. | OBJECTIVES | 3 |
| 4. | IMPLEMENTING THE SCHEME | 4 |
| 4.1 | Who is responsible for leading the NEPC AND NEPCSC's work on implementing freedom of information (FOI) reforms? | 4 |
| 4.2 | Existing information asset management framework and meeting the Scheme's requirements | 4 |
| 4.3 | Register of information required or permitted to be published under the Scheme | 5 |
| 5. | INFORMATION ARCHITECTURE | 5 |
| 5.1 | How will the NEPC AND NEPCSC publish information? | 5 |
| 5.2 | Form and language in which the NEPC AND NEPCSC intends to publish information and where the information will be located | 5 |
| 5.3 | Copies of information deposited in other locations | 5 |
| 6. | INFORMATION TO BE PUBLISHED | 6 |
| 6.1 | Information to be published by the NEPC AND NEPCSC under the Scheme | 6 |
| 7. | OPTIONAL INFORMATION TO BE PUBLISHED | 6 |
| 8. | REVIEW OF INFORMATION PUBLICATION SCHEME | 6 |

Introduction

1. INTRODUCTION

The National Environment Protection Council (the **NEPC**) and National Environment Protection Council Service Corporation (the **NEPCSC**) have prepared this Agency Plan (**Plan**) in accordance with section 8(1) of the *Freedom of Information Act 1982* (Cth) as amended (**FOI Act**).

Part II of the FOI Act, which deals with the Information Publication Scheme (**Scheme**), came into effect on 1 May 2011.

All references to sections in this Plan are to sections of the FOI Act.

2. PURPOSE

The primary purpose of this Plan is to comply with section 8(1).

Under section 8(1), the Plan must show:

- (a) what information the NEPC and NEPCSC propose to publish for the purposes of Part II of the FOI Act;
- (b) how, and to whom, the NEPC and NEPCSC propose to publish information for the purposes of Part II; and
- (c) how the NEPC and NEPCSC otherwise propose to comply with Part II.

The Plan will help the NEPC and NEPCSC to put appropriate procedures in place to proactively disclose their information holdings, in accordance with the objects of the FOI Act.

3. OBJECTIVES

The NEPC's and NEPCSC's objectives in relation to this Plan are to outline appropriate mechanisms and procedures to:

- (a) manage the NEPC's and NEPCSC's information holdings relevant to the Scheme;
- (b) proactively identify and publish all information required to be published, including this Plan (in accordance with section 8(2));
- (c) review and ensure on a regular basis that information published by the NEPC and NEPCSC under the Scheme is accurate, up-to-date and complete (in accordance with section 8B);
- (d) ensure that information published under the Scheme is able to be discovered by the general public, is understandable and re-useable and is accessible to a wide range of people, including people with disabilities; and
- (e) assess the effectiveness of the NEPC's and NEPCSC's implementation of the Information Publication Scheme.

4. IMPLEMENTING THE SCHEME

4.1 Who is responsible for leading the NEPC's and NEPCSC's work on implementing freedom of information (FOI) reforms?

The Executive Officer, NEPCSC is responsible for implementing FOI reforms generally on behalf of the the NEPC and NEPCSC. The Department of Sustainability, Environment, Water, Population and Communities (the **department**) assists the Executive Officer in this function. This includes establishing, developing and maintaining the Scheme in accordance with any assistance or guidelines provided by the Information Commissioner, and ensuring that all requests for access to documents of the NEPC and NEPCSC received from 1 November 2010 are processed in accordance with the amended FOI Act.

4.2 Existing information asset management framework and meeting the Scheme's requirements

From 1 May 2011, the NEPC and NEPCSC are required to publish and make publicly available a range of information. The information required to be published is specified in section 8(2).

Information published by the NEPC and NEPCSC prior to the implementation of the Scheme

The NEPC and NEPCSC publish a range of material on its public website, www.scew.gov.au, including:

- (a) information on governance arrangements for the the NEPC and NEPCSC's members ;
- (b) a description of the NEPC and NEPCSC's responsibilities;
- (c) information on statutory appointments;
- (d) Annual Reports;
- (e) information regarding consultation processes;
- (f) information provided to the Parliament in response to requests and orders from the Parliament;
- (g) the NEPC and NEPCSC's Strategic Priorities;
- (h) information on consultation opportunities and invitations for public comment;
- (i) media releases and other news;
- (j) guidelines to assist members of the public / organisations comply with statutory requirements;
- (k) information provided in response to Senate Orders; and
- (l) contact details.

Satisfaction of Scheme requirements

From 1 May 2011, the Executive Officer of the NEPCSC will be responsible for managing the Scheme, with administration of the Scheme to be undertaken by the department. As new processes are developed for managing information and internet material, the department's Legal Section will assist the NEPC and NEPCSC integrate IPS management into the management frameworks and will update the Plan accordingly.

To ensure ongoing satisfaction with the Scheme's requirements, the department's Legal Section together with the NEPC and NEPCSC will undertake a review exercise. This exercise will involve:

- (a) reviewing existing information held by the NEPC and NEPCSC to determine whether further material should be made publicly available as part of the Scheme;
- (b) reviewing existing information held by the NEPC and NEPCSC that is routinely provided to Parliament in response to requests and orders; and
- (c) determining what additional information should be published to satisfy the requirements of section 8(2).

Any information that is identified by the NEPC and NEPCSC as part of this exercise will be published in accordance with the requirements of the Scheme.

4.3 Register of information required or permitted to be published under the Scheme

The department's disclosure log will be utilised by the NEPC and NEPCSC for information released in response to FOI requests in accordance with the requirements of section 11C of the FOI Act.

5. INFORMATION ARCHITECTURE

5.1 How will the NEPC AND NEPCSC publish information?

From 1 May 2011, the NEPC and NEPCSC will publish information for the Scheme on their website that is available to members of the public generally in accordance with sections 8D(2) and 8D(3).

In accordance with section 8D(3), the NEPC and NEPCSC will publish information on the website by:

- (a) making the information available for downloading from the website; and
- (b) for those documents that are not currently available on the website, by publishing on the website details of how the information may be obtained.

5.2 Form and language in which the NEPC and NEPCSC intend to publish information and where the information will be located

The NEPC AND NEPCSC intend to publish the information in PDF format and in English.

As discussed in paragraph 5.1, the information will be located on the NEPC's and NEPCSC's website or in certain circumstances may be located elsewhere. If the information is located elsewhere information on how that information can be obtained will be published on the website.

5.3 Copies of information deposited in other locations

Information published in hard copy form by the NEPC and NEPCSC is also provided to the Commonwealth Library Deposit and Free Issue Scheme.

6. INFORMATION TO BE PUBLISHED

6.1 Information to be published by the NEPC and NEPCSC under the Scheme

The NEPC and NEPCSC will publish information in accordance with section 8(2), including:

- (a) this Plan (as required under section 8(2)(a));
- (b) information about the NEPC and NEPCSC, and links to existing publically available information where appropriate (as required under sections 8(2)(b) and 8(2)(d)), such as the NEPC's and NEPCSC's organisational chart;
- (c) information about what the NEPC and NEPCSC do including details of the functions of the NEPC and NEPCSC, their decision-making powers, other powers affecting members of the public, and operational information (as required under sections 8(2)(c) and 8(2)(j));
- (d) reports and responses to Parliament (as required under sections 8(2)(e) and 8(2)(h)), such as the NEPC's and NEPCSC's Annual Report;
- (e) information in documents to which the NEPC and NEPCSC routinely gives access in response to requests for access to documents (as required under section 8(2)(g)) and information published under section 11C;
- (f) details of arrangements for members of the public to comment on specific policy proposal for which the NEPC and NEPCSC are responsible, including how and to whom those comments may be made (as required under section 8(2)(f)); and
- (g) contact details for an officer (or officers) who can be contacted about access to the NEPC's and NEPCSC's information or documents under the FOI Act (as required under section 8(2)(i)), including the telephone number and email address of the department's FOI Contact Officer.

7. OPTIONAL INFORMATION TO BE PUBLISHED

The NEPC and NEPCSC will publish on its website other information that it holds (in addition to the information published under section 8(2), taking into account the objects of the FOI Act (section 8(4)) such as the NEPC's and NEPCSC's Governance Policy.

In addition, the NEPC and NEPCSC may publish a link to other publications not covered by the categories referred to above, including policies, guidelines, and other publications identified by the NEPC and NEPCSC from time to time.

8. REVIEW OF INFORMATION PUBLICATION SCHEME

The NEPC and NEPCSC will undertake, in conjunction with the department and with the Information Commissioner, a first review of the operation of the Information Publication Scheme within the timeframes set out in section 9(2) of the FOI Act.

Following this first review, the NEPC and NEPCSC will undertake, in conjunction with the department and with the Information Commissioner, a review of the operation of the Information Publication Scheme:

- (a) as appropriate from time to time; and
- (b) in any case – within 5 years after the last time a review was completed.