



# Information policy

## Principles on open public sector information

May 2011

The *Principles on open public sector information* form part of a core vision for government information management in Australia. They rest on the democratic premise that public sector information is a national resource that should be available for community access and use.

Transparency and public access to government information are important in their own right and can bolster democratic government. Information sharing better enables the community to contribute to policy formulation, assist government regulation, participate in program administration, provide evidence to support decision making and evaluate service delivery performance. A free flow of information between government, business and the community can also stimulate innovation to the economic and social advantage of the nation.

These Principles were developed by the Office of the Australian Information Commissioner (OAIC) through a process of public consultation. They draw on considerable work in Australia and overseas that defines standards and principles to shape government information management practices. That work, undertaken by government agencies, public inquiries and the Organisation for Economic Co-operation and Development, is discussed in an OAIC issues paper, *Towards an Australian Government Information Policy* (2010).

The Principles will be applied by the OAIC in its role of monitoring compliance by Australian Government agencies with the publication objectives of the *Freedom of Information Act 1982* (FOI Act). The Principles are not otherwise

binding on agencies, and operate alongside legal requirements about information management that are spelt out in the FOI Act, *Privacy Act 1988*, *Archives Act 1983* and other legislation and the general law.

### Principle 1: Open access to information – a default position

Information held by Australian Government agencies is a valuable national resource. If there is no legal need to protect the information it should be open to public access. Information publication enhances public access. Agencies should use information technology to disseminate public sector information, applying a presumption of openness and adopting a proactive publication stance.

### Principle 2: Engaging the community

Australian Government policy requires agencies to engage the community online in policy design and service delivery. This should apply to agency information publication practices. Agencies should:

- consult the community in deciding what information to publish and about agency publication practices
- welcome community feedback about the quality, completeness, usefulness and accuracy of published information
- respond promptly to comments received from the community and to requests for information
- employ Web 2.0 tools to support community consultation.

### Principle 3: Effective information governance

Australian Government agencies should manage information as a core strategic asset. A senior executive ‘information champion’ or knowledge officer in the agency should be responsible for information management and governance, including:

- providing leadership on agency compliance with the Information Publication Scheme and Disclosure Log
- ensuring agency compliance with legislative and policy requirements on information management and publication
- managing agency information to ensure its integrity, security and accessibility
- instigating strategic planning on information resource management
- ensuring community consultation on agency information policy and publication practices.

The senior officer should be supported by an information governance body that may include people from outside the agency.

### Principle 4: Robust information asset management

Effective information management requires agencies to:

- maintain an asset inventory or register of the agency’s information
- identify the custodian of each information holding and the responsibilities of that officer
- train staff in information management
- establish clear procedures and lines of authority for decisions on information publication and release
- decide if information should be prepared for publication at the time it is created and the form of publication

- document known limitations on data quality
- identify data that must be managed in accordance with legislative and legal requirements, including requirements relating to data security and protection of personal information, intellectual property, business confidentiality and legal professional privilege
- protect information against inappropriate or unauthorised use, access or disclosure
- preserve information for an appropriate period of time based on sound archival practices.

### Principle 5: Discoverable and useable information

The economic and social value of public sector information can be enhanced by publication and information sharing. This requires that information can easily be discovered and used by the community and other stakeholders. To support this objective agencies should:

- publish an up-to-date information asset register
- ensure that information published online is in an open and standards-based format and is machine-readable
- attach high quality metadata to information so that it can be easily located and linked to similar information using web search applications
- publish information in accordance with the *Web Content Accessibility Guidelines* version 2 (WCAG 2.0) endorsed by the Australian Government in November 2009.

### Principle 6: Clear reuse rights

The economic and social value of public sector information is enhanced when it is made available for reuse on open licensing terms. The *Guidelines on Licensing Public Sector Information for Australian Government Agencies* require agencies



to decide licensing conditions when publishing information online. The default condition should be the Creative Commons BY standard, as recommended in the *Intellectual Property Principles for Australian Government Agencies*, that apply to agencies subject to the *Financial and Management Accountability Act 1997*. Additional guidance on selecting an appropriate licence is given in the Australian Government Open Access and Licensing Framework (AUSGOAL).

### **Principle 7: Appropriate charging for access**

The FOI Act requires agencies to facilitate public access to information at the lowest reasonable cost. This principle applies when information is provided upon request or is published by an agency. Other Acts also authorise charges for specific documents or information access.

Agencies can reduce the cost of public access by publishing information online, especially information that is routinely sought by the public. Charges that may be imposed by an agency for providing access should be clearly explained in an agency policy that is published and regularly reviewed.

### **Principle 8: Transparent enquiry and complaints processes**

Agency decision making about information publication should be transparent. This can be supported, within the agency's information governance framework, by an enquiry and complaints procedure for the public to raise issues about agency publication and access decisions. The procedure should be published, explain how enquiries and complaints will be handled, set timeframes for responding, identify possible remedies and complaint outcomes, and require that written reasons be provided in complaint resolution.

The information provided in this document is of a general nature. It is not a substitute for legal advice.

The Office of the Australian Information Commissioner (OAIC) was established on 1 November 2010 by the *Office of the Australian Information Commissioner Act 2010*.

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