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# Right to Information Policy

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Department of Police, Fire and Emergency Management

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# 1. Policy statement

The Department of Police, Fire and Emergency Management (DPFEM) is committed to upholding the principles of transparency, accountability, and public access to information, as prescribed in the [Right to Information Act 2009](#) (the RTI Act). DPFEM recognises that the right to access information is fundamental to fostering an informed and engaged public, promoting openness in decision-making, and ensuring responsible governance.

## 2. Purpose

The purpose of this policy is to facilitate the public's right to access information in accordance with the RTI Act.

The purpose of the RTI Act is to improve democratic government in Tasmania. This purpose is to be pursued by giving members of the public the right to obtain information held by public authorities and ministers; and by giving members of the public the right to obtain information about the operations of government.

By promoting access to public records, this policy seeks to foster accountability, build public trust, and enhance the department's responsiveness to the needs of the community.

## 3. Scope

This policy applies to all DPFEM services, including Tasmania Fire Service (TFS), State Emergency Service (SES), Forensic Science Service Tasmania (FSST), Tasmania Police, and Business and Executive Services (BES).

It applies to all DPFEM state service employees, Tasmania Police officers, TFS career firefighters, volunteers (emergency service workers), contractors or others conducting business for DPFEM; from here-on to be collectively referred as DPFEM workers.

This policy is supported by the [DPFEM Personal Information Management Guidelines](#).

## 4. Key definitions

<b>Active Disclosure</b>	Disclosure of information by a public authority or a minister in response to a request from a person made otherwise than under Division 2 of Part 2 of the RTI Act (assessed disclosure).
<b>Assessed Disclosure</b>	Disclosure of information by a public authority or a minister in response to an application in accordance with section 13 of the RTI Act. Section 13(3) of the RTI Act prescribes that assessed disclosure is a last resort.

<b>Delegated Officer</b>	A person specified in an instrument of delegation in accordance with section 24 of the RTI Act to perform or exercise the functions or powers of the principal officer or minister under the Act.
<b>Information</b>	Anything by which words, figures, letters or symbols are recorded and includes a map, plan, graph, drawing, painting, recording and photograph; and anything in which information is embodied so as to be capable of being reproduced.
<b>May</b>	Is to be construed as being discretionary or enabling, as the context requires.
<b>Must</b>	Is to be construed as mandatory.
<b>Required Disclosure</b>	Disclosure of information by a public authority where the information is required to be published by the RTI or any other Act, or where disclosure is otherwise required by law or enforceable under an agreement.
<b>Routine Disclosure</b>	Disclosure of information by a public authority which the public authority decides may be of interest to the public, but which is not a required disclosure, an assessed disclosure, or an active disclosure.
<b>Personal Information</b>	Any information or opinion in any recorded format about an individual: <ul style="list-style-type: none"> <li>○ whose identity is apparent or is reasonably ascertainable from the information or opinion, and</li> <li>○ who is alive or has not been dead for more than 25 years.</li> </ul>
<b>Principal Officer</b>	The Secretary is the principal officer for DPFEM.
<b>Public Authority</b>	In the context of this policy, means the Department of Police, Fire and Emergency Management.
<b>Should</b>	Is to be construed as a recommended action that ought to be taken unless there are sound reasons for not doing so.
<b>Workers</b>	Employees, volunteers, contractors or others conducting business for DPFEM.

## 5. Roles and responsibilities

### DPFEM workers

DPFEM workers are responsible for:

- following information and records management policies and guidelines, to ensure proper storage of information in the possession of the public authority
- providing delegated officers with all information responsive to an RTI request in a timely and efficient manner, as required by the RTI Act. Note, it is not the workers responsibility to determine whether the information should be released – all information should be forwarded to the delegated officer, who will make the assessment
- disclosing information according to legislative provisions.

**NOTE: It is an offence to deliberately fail to disclose information which is the subject of an RTI application (section 50(2), RTI Act).**

### Principal officer

The principal officer is:

- responsible for development of relevant policies and procedures relating to RTI
- accountable for publishing details in respect of how individuals may access information in possession of the public authority
- responsible for, where necessary or convenient, delegating powers under the RTI Act to delegated officers
- responsible for assigning decisions for internal review, where requested
- accountable for any and all of the responsibilities assigned to delegated officers below.

### Delegated officers

Delegated officers are responsible for:

- considering applications for assessed disclosure in accordance with the RTI Act
- disclosure of information pursuant to the RTI Act
- providing guidance to workers conducting searches for information in response to an application
- making determinations on whether disclosures be included on the disclosure log.

## Right to Information Services

Right to Information Services is responsible for the administrative matters associated with the right to information function within the public authority. This includes:

- ensuring all forms and supporting information are contemporary and accessible
- aiding applicants, where applicable, to complete an application for assessed disclosure in accordance with the RTI Act
- maintaining the RTI disclosure log
- supplying relevant information to, and liaising with, Ombudsman Tasmania in respect of external reviews of decisions
- providing advice to DPFEM workers regarding the disclosure of information.

## Agency Executive Group

The Agency Executive Group is responsible for:

- determining information appropriate to be released as active, routine or required disclosure and how this information will be released
- ensuring appropriate policies and procedures are in place for information and records-management processes.

## Office of the Commissioner and Secretary

The Director, Office of the Secretary is responsible for:

- preparing delegation documentation and maintaining the delegation register.

## 6. Disclosure

The RTI Act is pro-disclosure, with section 7 stating 'A person has a legally enforceable right to be provided...with information in the possession of a public authority or a Minister unless the information is exempt information.' An assessed disclosure is a last resort.

Matters requiring assessment by a delegated officer must be referred to RTI Services, Strategy and Support (refer section 8).

## 7. Disclosure log

In response to an application for assessed disclosure, released information may be published on the online disclosure log.

Deciding what information to release to an applicant, and what information to publish on the disclosure log, are separate decisions. The first decision has a legislative basis and the second is administrative only. Both decisions are made by the delegated officer who completes the assessment.

Only information determined to be in the public interest will be published on the disclosure log. Personal information will not be published.

Information will likely be included on the disclosure log in the following circumstances:

- The application is received from a member of parliament, journalist, or special interest group about a matter which is in the public interest.
- An overall assessment of the information to be released indicates there is a public interest in publishing that information.

The disclosure log is accessible via the DPFEM website, at <https://www.police.tas.gov.au/information-disclosure/right-to-information-disclosures/disclosures/disclosure-log/>

## 8. Contacting Right to Information Services

Information, including how to make an application for assessed disclosure per the RTI Act, is available to the public via the DPFEM website: [Right to Information Disclosures](#); or further information can be obtained from:

Right to Information Services  
Department of Police, Fire and Emergency Management  
GPO Box 308  
HOBART TAS 7001

or email: [rti@dpfem.tas.gov.au](mailto:rti@dpfem.tas.gov.au).

DPFEM workers can access information regarding disclosure via the departmental RTI [intranet](#) page.

## 9. Related resources

[Personal Information Protection Act 2004](#)

[Right to Information Act 2009](#)

[Right to Information Regulations 2021](#)

[DPFEM Personal Information Management Guidelines](#) (departmental intranet access only)

<https://www.ombudsman.tas.gov.au/right-to-information>

# 10. Document information

## General information

<b>HP Records Manager No.</b>	A25/1017	<b>Replaces document</b>	A15/192803
<b>Effective from</b>	27 February 2025	<b>Review date</b>	12 months after implementation
<b>Business Owner</b>	Strategy and Support		
<b>Applies to</b>	Whole of DPFEM		
<b>Information Security Classification</b>	PUBLIC		

## Approval

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## Revision history

<b>Version</b>	<b>Approved By (Name)</b>	<b>Approved By (Title)</b>	<b>Amendment Notes</b>

