

Strathbogie Shire Council

Public Transparency Policy

April 2025



Contents

PUBLIC TRANSPARENCY POLICY	3
PART 1 POLICY	3
1. PURPOSE	3
2. POLICY STATEMENT	3
3. APPLICATION OF THIS POLICY	4
4. DEFINITIONS	4
5. ACCOUNTABILITY AND RESPONSIBILITIES	6
6. PUBLIC TRANSPARENCY POLICY	7
7. RELATED POLICIES AND LEGISLATION	17
8. POLICY REVIEW	17
9. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 AND THE EQUAL OPPORTUNITY ACT 2010	18

Public Transparency Policy

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PART 1 POLICY

1. PURPOSE

The purpose of this policy is to:

- 1.1 enshrine the public transparency principles
- 1.2 describe the ways in which Council information will be made publicly available
- 1.3 specify which Council information must be made publicly available as a matter of course
- 1.4 describe the categories of Council information that may be unavailable to the public

This Policy is adopted under section 57 of the *Local Government Act 2020*.

2. POLICY STATEMENT

Section 57 of the *Local Government Act 2020* (the Act) stipulates that councils are required to adopt and maintain a Public Transparency Policy. This policy gives effect to the public transparency principles outlined in section 58 of the Act.

Council is committed to the principles of public transparency, good governance, open and accountable decision making and making council information publicly available, except where that information is confidential under the provisions of the Act or another act, or contrary to the public's interest.

This policy aims to formalise Council's commitment to transparent decision-making processes and freely available public access to Council information.

3. APPLICATION OF THIS POLICY

This policy applies to all Councillors, Council staff including contractors and volunteers, and delegated committees under the Act.

4. DEFINITIONS

Term	Meaning
Child Safe Standards	In 2015, the <i>Child Wellbeing and Safety Act 2005</i> was amended to include Child Safe Standards. The Standards are designed to drive cultural change and embed practice of protecting children into the everyday thinking of an organisation.
Council	means Strathbogie Shire Council being a body corporate constituted as a municipal Council under the <i>Local Government Act 2020</i> .
Councillors	means the individuals holding the office of a member of Strathbogie Shire Council
Council officer	means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer
Closed meetings	Under section 66(5) of the Act, Council may determine that a meeting is to be closed to the public to consider confidential information. A meeting may therefore be closed to the public if Council resolves to close the meeting, in order to consider a confidential matter regarding issues of a legal, contractual or personnel nature and other issues deemed not in the public interest.
Community	means the residents and ratepayers of, and visitors to, the Municipal Shire of Strathbogie and may, depending on the context, refer to all of those people or to particular subsets of those people.
Community engagement	Refers to a planned process that supports public decision-making. It includes: <ul style="list-style-type: none"> • Sharing information and providing updates • Seeking feedback and gathering input • Dialogue and deliberation It is also sometimes referred to as public consultation.
Confidential information	As defined by Section 3 of the Local Government Act 2020 confidential information means the following information: <ol style="list-style-type: none"> a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values d) law enforcement information, being information which if released would be reasonably likely to prejudice the

	<p>investigation into an alleged breach of the law or the fair trial or hearing of any person</p> <ul style="list-style-type: none"> e) legal privileged information, being information to which legal professional privilege or client legal privilege applies f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs g) private commercial information, being information provided by a business, commercial or financial undertaking that— <ul style="list-style-type: none"> (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage h) confidential meeting information, being the records of meetings closed to the public under section 66(2)(a) i) internal arbitration information, being information specified in section 145 j) Councillor Conduct Panel confidential information, being information specified in section 169 k) information prescribed by the regulations to be confidential information for the purposes of this definition l) information that was confidential information for the purposes of section 77 of the <i>Local Government Act 1989</i> <p>For the purposes of this Policy and the Act's Public Transparency Principles, "information" includes documents.</p>
Decision makers	Persons acting with the delegated authority of Council to make decisions, including decision makers who decide on whether or not to release information.
Exempt document / Exempt information	For the purposes of administering decisions under the <i>FOI Act 1982</i> , a conditionally exempt document is an exempt document if access to the document would, on balance, be contrary to the public interest (see section 31B (exempt documents for the purposes of Part IV)).
Health Privacy Principles (HPPs)	Schedule 1 of <i>Health Records Act 2001</i> (Vic) contains the Health Privacy Principles (HPPs) and coincides with the <i>Privacy and Data Protection Act 2014</i> (Vic) which ensures a minimum standard for how Victorian public sector organisations should manage health information.
Information Privacy Principles (IPPs)	Schedule 1 of the <i>Privacy and Data Protection Act 2014</i> (Vic) contains the Information Privacy Principles (IPPs). The IPPs are the core of privacy law in Victoria and set out the minimum standard for how Victorian public sector organisations should manage personal information.
Part II Statement	A register of publicly available documents available from the Strathbogie Shire Council: Part II Statement – 2024 as required by <i>Freedom of Information Act 1982</i> .
Public interest/public interest test	While there is no set definition of public interest, broadly speaking, public interest can be defined as a deliberative decision-making process (by delegated decision makers such as

	FOI Principal Officers) to determine whether information about Council's activities / decisions should be released to the public. As set out by the Office of the Victorian Information Commissioner, a "pro release" or information-sharing culture or factors that favour release of information, exists in this decision making process.
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5. ACCOUNTABILITY AND RESPONSIBILITIES

Role	Responsibilities
Councillors	Champion public transparency through leadership, modelling practice and open decision-making
Chief Executive Officer and Executive Leadership Group	Champion behaviours that foster transparency and drive the public transparency principles through policy, processes, and leadership
Chief Executive Officer	Has ultimate decision-making powers on behalf of Council in relation to the release of Council information (*decisions made by CEO or their delegates may be reviewed by external regulatory bodies such as OVIC or VCAT upon appeal)
Governance Team	<ul style="list-style-type: none"> • Training and awareness of public transparency principles and privacy (personal and health information which may be confidential) • Processing Freedom of Information requests, information requests involving children and other vulnerable groups should be dealt with through this mechanism. • Custodians of the endorsed electronic document records management process • Responsible for policy review in accordance with policy cycle • Responsible for reviews, assessments and decision-making evaluations received by external regulators and other age
Communications Engagement and Advocacy Team	<ul style="list-style-type: none"> • Determining and facilitating the best methods / channels for effectively disseminating Council information • Engaging the community about Council matters and decisions that affect them
Digital Innovation and Technology Team	<ul style="list-style-type: none"> • Facilitate the flow of publicly available Council information onto electronic Council platforms
Council Officers	<ul style="list-style-type: none"> • Responsible for public transparency as appropriate to their role and function, e.g. requesting information be published to Council's website, considering information access barriers • Assisting the Governance Team with information requests / Freedom of Information requests as required

6. PUBLIC TRANSPARENCY POLICY

Section 57(2) of the Act states a public transparency policy must:

- (a) give effect to the public transparency principles
- (b) describe the ways in which Council information is to be made publicly available
- (c) subject to section 58(b), specify which Council information must be publicly available, including all policies, plans and reports required under this Act or any other Act
- (d) include any other matters prescribed by the regulations.

Council's Public Transparency Policy reflects that public transparency principles and human rights are inextricably intertwined.

Public transparency, the public's ability to access information including the government's decision making / thought processes, is intrinsic to an inclusive democracy and honouring human rights.

This is acknowledged by the *Charter of Human Rights and Responsibilities Act 2006* (Vic); that is, citizens' ability to form and express their own informed opinions, ideas, and decisions, and to participate fully in civic life, hinges on their ability to successfully access information (transparency).

The Charter is clear that:

"(2) Every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, whether within or outside Victoria and whether:

- (a) orally; or
- (b) in writing; or
- (c) in print; or
- (d) by way of art; or
- (e) in another medium chosen by that person."

The government is responsible for providing the public with the transparency mechanisms to enable freedom of expression by way of access to information / ways to seek information, e.g. making available a register of publicly available information and documents (refer Council's Part II Statement) as set out by the *Freedom of Information Act 1982*. To this end, the public must be made aware of what local government does, how it acts and what information it holds – including what personal information it holds about its constituents.

The Freedom of Information mechanism promotes transparency and accountability around policy making, administrative decision making and government service delivery by providing a way for the public to access information that might affect them, or even being able to request Council amend information it holds on them. Further, community engagement activities at Council extend an opportunity to the public to provide feedback or have input into the decision-making process.

Councils are obliged to release documents which are in the public interest, unless a valid exemption under legislation applies (and therefore may not be in the public interest to be released).

6.1 Public Transparency Principles

Strathbogie Shire Council ('Council') is committed to transparent and accountable governance and decision making. Council's decision making is supported by the effective creation and management of endorsed documents, which importantly set organisational compliance and ethical standards. Not only should endorsed documents created by Council be meaningful and useful to the organisation, but they should also be accessible and valuable to relevant key stakeholders, such as staff members in the course of their duties, and the public.

The Local Government Act 2020 ('the Act') specifies that the role of a Council is:

"...to provide good governance in its municipal district for the benefit and wellbeing of the municipal community."

The provision of effective governance includes a Council performing its role in accordance with the overarching governance principles. Amongst other principles, the overarching governance principles state that:

- The transparency of Council decisions, actions and information is to be ensured

Therefore, Council commits to the following principles for Public Transparency as detailed within Section 58 of the Act:

- a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act
- b) Council information must be publicly available unless:
 - i. the information is confidential by virtue of this Act or any other Act; or
 - ii. public availability of the information would be contrary to the public interest
- c) Council information must be understandable and accessible to members of the municipal community
- d) Public awareness of the availability of Council information must be facilitated.

At a minimum, and to ensure accountability to constituents, the Act requires councils to make the following endorsed documents publicly available:

- A Community Vision (for at least the next ten financial years)
- A Council Plan (for at least the next four financial years)
- A Financial Plan (for at least the next ten financial years)
- An Asset Plan (for at least the next ten financial years)
- A Revenue and Rating Plan (for at least the next four financial years)
- An Annual Budget (for each financial year and the subsequent three financial years)
- A Quarterly Budget Report
- An Annual Report (for each financial year)
- Financial Policies

The Act also requires councils to prepare:

- A Workforce Plan (including projected staffing requirements for at least four years)

6.2 Transparency of Council Decisions

Council's activities are diverse and extensive, amongst them:

- Significant infrastructure is installed and maintained
- A range of services are provided, e.g. waste collection services

- Various laws are enforced for community amenity and safety, in accordance with legislation and Council's Community Local Law No 2.

All of the above culminate in a large volume of information/documents being produced, stored, and disseminated by Council, including some endorsed documents mandated by various pieces of federal or state legislation or regulations.

Information considered to be in the public interest about Council's activities and functions may be obtained in various ways:

- Council's website
- Administratively upon application through Council, for free or for a fee, e.g. copies of building permits and building information certificates
- Administratively through Council under various Acts (which may also have associated access fees), including the *Freedom of Information Act 1982*

Council will meet its obligations under Section 58 of the Act by:

- Keeping detailed and current records on the information and documents it holds, including conducting regular document updates and audits in line with the Records Management Archive and Disposal Framework
- Facilitating the Freedom of Information process for access to Council documents as per the *Freedom of Information Act 1982* and *Health Records Act 2001*
- Publishing a list of what documents are publicly available for free, or for an administrative fee, and under what legislation access can be sought. (Documents may be freely published on the Strathbogie Shire Council website, available by inspection at the Council offices, or by request)
- Providing access to Council's decision-making via the Council meeting process, supported by written documents such as agendas and minutes
- Advertising formal access mechanisms to information, e.g. Council's external website, and considering ways to include and increase its constituents' participation in Council's decision making process. (Council shares large amounts of information and documents on its website. This includes but is not limited to information and documents on the services we provide, policies which relate to the public, public notices, and public registers)
- Community engagement activities provide the community with genuine opportunities to inform Council's projects, strategies, services, and decisions that affect them. This includes providing the community with any relevant Council information (refer Section 6.6 below)
- Ensuring our information is accessible to people with disability and other marginalised groups by implementing universal design principles¹ and providing content in multiple formats as required

¹ 'Universal design' in this context refers to the design and composition of Council's information environment so that it can be accessed, understood, and used to the greatest extent possible by the broadest amount of people possible, regardless of their age, ability, cultural background, or other differentiating factors.

6.2.1 Council Meeting Decisions

The decision-making process of Council meetings will be:

- Undertaken in accordance with the Act and Council's Governance Rules
- Conducted in an open and transparent forum as much as possible, with Council meetings open to the community to observe in person or in real time via livestream (internet), unless closed to the public for specified circumstances permitted by virtue of Section 66(2) of the Act, which provide for the meeting being closed:
 - (a) The meeting is to consider confidential information; or
 - (b) Security reasons; or
 - (c) It is necessary to do so to enable the meeting to proceed in an orderly manner².
- Informed by the views and opinions of the community whose rights and interests will be directly affected by the decision – the public has a right to respond regarding matters that affect them
- Available to the public via Council meeting agendas and minutes, and supporting information (minutes are also available as an audio recording of the proceedings)

6.2.2 Closed Council Meetings and Confidential Attachments

Where reasonably practicable to do so, Council will be mindful to limit the number of decisions made through 'Closed Council' meetings.

From time to time, there may be Council reports presented in an 'Open' meeting of Council however with confidential/closed council attachments provided to Councillors and the Executive Leadership Team separately.

If a decision or attachment is not made or made available to the public, this will only be undertaken when the matter involves confidential information as defined under Section 3 of the Act. Please refer to definitions section four for a comprehensive explanation of confidential information.

6.3 Public Interest Test

Council information will not be made publicly available if doing so would be contrary to the public interest.

However, there is no set definition of 'public interest'. Deciding what is in the public interest involves a case-by-case consideration of the relevant context and circumstances.

The *Freedom of Information Act 1982* suggests that the deliberative process of releasing information in the 'public interest' be one that favours public access to information, specifically taking into account the following factors favouring access:

² Also noting that when a Council meeting is closed to the public, the publicly available meeting minutes must state the ground/s for determining the meeting be closed under S 3(1) of the Act and an explanation of why the ground/s applied.

“11B: Public Interest Exemptions – Factors

- (3) Factors favouring access to the document in the public interest include whether access to the document would do any of the following:
- (a) promote the objects of this Act (including all the matters set out in sections 3 and 3A)
 - (b) inform debate on a matter of public importance
 - (c) promote effective oversight of public expenditure
 - (d) allow a person to access his or her own personal information.”

When deciding whether to release information, decision makers must commence the public interest test from the position of acknowledging the presumption in favour of disclosure of information³.

Following recognition of the legislative context the public interest test requires the decision maker to:

1. Identify the relevant public interest considerations in favour of disclosure
2. Identify the relevant public interest considerations against disclosure
3. Determine the weight of the public interest considerations in favour of and against disclosure and come to a conclusion about whether the factors in favour of disclosure outweigh the factors against disclosure (taking into account the presumption in favour of disclosure)

Further, decision makers, such as Council’s Governance Officers and Chief Executive Officer, are required to provide written reasons for their decision. If access to some or all of the information is refused, a decision maker ideally should:

- Provide reasons for the decision
- Set out findings of facts on any material, question of fact reference sources of information that informed the findings of facts; and
- Set out the general nature and format of the records held by the agency that contain the information concerned.

Whether or not the information, once released, may cause embarrassment, confusion or loss of trust or confidence in the government, is considered to be irrelevant to the decision to release information.

In a similar framework, Strathbogie Shire Council’s Governance Rules, stipulates in relation to decision making that a natural justice approach apply, that is, that constituents have a right to reply or provide feedback on matters or decisions of Council that affect that. Council’s decision makers must also make decisions:

- 6.1.1 fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
- 6.1.2 on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations

³ Information and Privacy Commission NSW factsheet, ‘What is the public information test

Without unnecessarily restricting the information available by administrative release, where a public interest test is inconclusive or agreement about the information to be released is unable to be agreed with the person requesting the information/document, the applicant is to be referred to the Freedom of Information process in order to ensure their legal rights and independent review mechanisms are preserved.

6.4 Contrary to Public Interest Considerations

When assessing whether making certain Council Information publicly available would be contrary to the public interest, the decision makers will have regard to, among other things:

- (a) The sensitivity of the Council information
- (b) Whether the Council information comprises a draft, internal working documents, or is outdated information
- (c) Any adverse effect that releasing the Council Information would have on the effectiveness of Council's decision-making processes.

Without limiting the above, factors that might lead to a decision that the release of Council Information is contrary to the public interest might include whether release would be likely to:

- (a) Disclose personal or health information
- (b) Disclose information or opinions of a preliminary nature such that they might:
 - (i) Mislead the community with respect to Council's position on a matter
 - (ii) Have a substantial adverse effect on the municipal economy
- (c) Prejudice discussions or negotiations between Council and any other party, in relation to a contract, legal proceedings or any other matter
- (d) Impair or otherwise impact on:
 - (i) Council's ability to obtain information in future that is similar in nature to the Council information
 - (ii) Negotiations with respect to employment arrangements for Officers
 - (iii) Defence, prosecution, and settlement of legal proceedings
- (e) Impact on the reasonable allocation of Council's resources, including in responding to requests for Council information that are assessed by the Chief Executive Officer as being 'unreasonable' in nature

6.5 Confidential Information (information not for public release)

Some Council information may not be made publicly available. Information will only be withheld from the public if the information is considered confidential, that is, its release would be contrary to the public interest, on balance of considerations, or the Information Privacy Principles (IPPs) as defined by the *Privacy and Data Protection Act 2014*.

"Confidential information" is defined in section 3 of the *Local Government Act 2020* and included in the definitions in section four.

Council may decide, in the interests of transparency, to release information to the public even though it is confidential under the Act. However, this will not happen if:

- Release of information is contrary to law
- Is likely to cause harm to any person or violate their human rights, including children and other vulnerable groups, endanger them or put them at risk of psychological or physical harm
- Is not in the public interest to do so for some other reason (see table below)

Where information is not confidential, and not already publicly available, Council will apply the principles of a 'public interest test' (see Section 6.2 above). Consideration should also be given by decision-makers as to the administrative resources required to process an information request, and reasonableness of the request, in determining whether to release the information or not.

The table below describes the types of confidential information that may be exempted from release:

Type	Description
Council business information	Information that would prejudice the Council's position in commercial negotiations if prematurely released.
Security information	Information that is likely to endanger the security of Council property or the safety of any person if released.
Land use planning information	Information that is likely to encourage speculation in land values if prematurely released.
Law enforcement information	Information which would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person if released.
Legal privileged information	Information to which legal professional privilege or client legal privilege applies.
Personal information	<p>Has the same definition as the <i>Privacy and Data Protection Act 2014</i>. Examples of personal information includes:</p> <ul style="list-style-type: none"> • name, date of birth • income, purchases, and spending habits • race, and ethnic origin • blood type, DNA code, fingerprints • marital status and religion • education • home address and phone number <p>This includes personal information relating to both clients of Council and Council officers. For example, Council holds personal information on its ratepayers (e.g., names and addresses) in order to carry out its functions (e.g., planning, valuation, and property services).</p> <p>It may also request personal information to provide education, welfare, and other community services. In some instances,</p>

	personal information may be contained on a public register (register of building permits, food premises and animal registration details).
Private commercial information	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that would unreasonably expose the business, commercial or financial undertaking to disadvantage if released
Confidential meeting information	Records of a Council and delegated committee meetings that are closed to the public to consider confidential information
Internal arbitration information	Confidential information relating internal arbitration about an alleged breach of the Councillor Code of Conduct.
Councillor Conduct Panel confidential information	Confidential information relating to a Councillor Conduct Panel matter
Confidential information under the Act (includes 1	Information that was confidential information for the purposes of: <ul style="list-style-type: none"> • Section 3 of the <i>Local Government Act 2020</i> • Section 77 of the <i>Local Government Act 1989</i>
Sensitive Information	Means a type of personal information which includes an individual's racial or ethnic origin, political views, religious beliefs, sexual preferences, membership of groups or criminal record.
Health Information	Includes personal information or opinion about: <ul style="list-style-type: none"> • an individual's physical, mental, or psychological health (at any time) • an individual's disability (at any time) • expressed wishes about the future provisions of health services to individuals • health services provided, or to be provided, to an individual • an individual, collected to provide a health service to an individual (e.g. disability or aged care service, immunisation service or maternal and child health service). <p>For example, Council holds health information on clients who require home maternal health services</p>

6.6 Public Awareness of Council Information Availability

Making information and documents available to the public is only successful if members of the public are aware of the existence of information/documents and know how and where to access them.

Council must take proactive steps to inform the public and highlight to them the existence and availability of information and documents, and to assist them with any additional needs they may have regarding access, as much as possible and where practicable. Council officers may wish to consider the following methods of communicating information with the public, even using one or more methods simultaneously:

- Annual report
- Public / statutory notices advertised in the newspaper
- Direct letter mailouts to residents
- Direct emails to residents via customer database
- Signage, posters, or brochures
- Share Strathbogie (digital engagement / community consultation platform)
- Electronic newsletter to subscribers
- Latest news on Strathbogie Shire Council website
- Social media including the Strathbogie Shire Council Facebook page

By being transparent with the public and engaging with the community as early as possible on matters that affect them, Council aims to achieve the following:

- Make more informed decisions
- Better understand the needs and priorities of diverse communities and stakeholder
- Successfully engage with children and young people and educate them on their rights to safety, information, and participation – their right to a ‘voice’
- Create greater transparency and trust
- Support genuine and meaningful conversations
- Foster stronger relationships with our community and stakeholders
- Build community understanding about Council’s scope of work and decision-making process
- Facilitate information sharing
- Create better public value
- Promote better social cohesion
- Improve social capital
- Deliver better outcomes for the community

Officers are encouraged to review a comprehensive list of community engagement principles and methods outlined in Council’s Communication and Engagement Policy.

6.7 Accessibility of Council Information

Council is committed to making information available to all members of the public in a way that is understandable and accessible, in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

The United Nations Convention on the Rights of Persons with Disabilities, ratified by Australia, speaks to the importance of states/governing bodies making information accessible to all people, including persons with a disability who may have unique needs around access, stating:

“Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others... to information and communications, including information and communications technologies and systems... These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:...

- a. Information, communications, and other services, including electronic services and emergency services.”

Further,

“Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by:

- Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost
- Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes, and formats of communication of their choice by persons with disabilities in official interactions
- Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities
- Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities
- Recognizing and promoting the use of sign languages.”

Council acknowledges that while written communication (text) is its predominant form of communication with the public, inclusive methods of public discourse should be facilitated where practicable. Council therefore encourages its Officers and document authors to be conscious of possible barriers to the access of information within the community, when preparing and disseminating information about Council’s activities and services.

Officers should consider the following:

- Presentation of information – is the format and font easy to read?
- Use of plain English in Council documents
- Community engagement methods/publication channels – is the information reaching its intended audience successfully in an understandable way?
- Provision of information in various formats (not just text), such as hardcopy, electronic, audio recordings, livestreams etc
- Are there other ways to convey information beyond text, e.g. a text to voice/translation facility on Council’s website; can graphics or pictorial information be incorporated into documents for explanatory purposes?
- Other supports that could be put in place to increase public access, e.g. publishing documents in languages other than English, links to inclusive information (Easy to Read) services

6.8 Breaches

All Council staff are responsible for adhering to the Public Transparency Principles as enshrined by Section 58 of the Act, *Health Records Act 2001* and the *Privacy and Data Protection Act 2014*.

The Act states: “The Chief Municipal Inspector may examine, investigate, and prosecute ...

(b) any possible breaches of this Act.”

A breach of the Act could include Council’s failure to adopt and make available to the public any of the documents identified as publicly available in the Act.

All Council staff have a role to play in ensuring that Council decision-making, guided by policies and other endorsed documents, is current best practice governance and regularly updated.

The failure of Council, as an organisation, to appropriately manage its information and public transparency obligations under the Acts results in risk and potential consequences for the organisation, including possible prosecution for breaches under the Acts, loss of public trust and reputational damage.

7. RELATED POLICIES AND LEGISLATION

Legislation

- *Charter of Human Rights and Responsibilities Act 2006*
- *Child Safe Standards Child Wellbeing and Safety Act 2005*
- *Disability Discrimination Act 1992*
- *Freedom of Information Act 1982*
- *Health Records Act 2001*
- *Local Government Act 2020*
- *Privacy and Data Protection Act 2014*
- United Nations Convention on the Rights of Persons with Disabilities
- United Nations Convention on the Rights of a Child

Council Documents

- Communications and Engagement Policy
- Privacy and Data Protection Policy
- Privacy Policy
- Open Data Policy
- Child Safe Policy
- Public Interest Disclosure Policy
- Complaints Policy
- Governance Rules
- Part II Statement (*Freedom of Information Act 1982*) – publication of certain documents and information

8. POLICY REVIEW

Council may review this policy at any time and at least two years from the date of adoption.

Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance of the policy (e.g. a change to the name of a related document, or a change in legislation).

9. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 AND THE EQUAL OPPORTUNITY ACT 2010

Council acknowledges the legal responsibility to comply with the *Charter of Human Rights and Responsibilities Act 2006* and the *Equal Opportunity Act 2010*. The *Charter of Human Rights and Responsibilities Act 2006* is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to twenty fundamental human rights under four key values that include freedom, respect, equality, and dignity.