

Operational Procedure: Publishing Information under the Information Publication Scheme

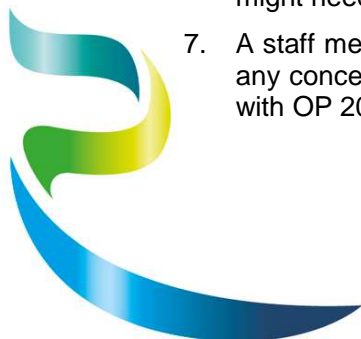
This Operational Procedure is issued under the authority of the Assistant Commissioner (General Counsel) and should be read together with the [ACNC Policy Framework](#), which sets out the scope, context and definitions common to our policies.

Procedure

1. This Operational Procedure sets out how the ACNC will maintain an accurate, up-to-date and complete Information Publication Scheme (IPS).
2. Part II of the *Freedom of Information Act 1982* (Cth) (FOI Act) requires that agencies publish certain information as part of their IPS. The FOI Act further requires that agencies ensure that information published in the IPS is accurate, up-to-date and complete (section 8B).
3. The Freedom of Information (FOI) contact officer (under the supervision of the Director of Legal) has primary responsibility for leading the agency's work on Information Publication Scheme (IPS) compliance.
4. This Operational Procedure details the responsibilities of the FOI contact officer in relation to the management of the ACNC's IPS entry and sets out relevant processes in relation to:
 - a) considering whether a document should be published
 - b) ongoing obligations
 - c) arranging an annual review.
5. This Operational Procedure should be read together with Operational Procedure: Identifying documents for the Information Publication Scheme (OP 2013/01) and Operational Procedure: Review of the Information Publication Scheme (OP 2013/2).

Considering whether a document should be published

6. Where staff members identify documents that might need to be published under the IPS, they are required to notify the FOI contact officer in accordance with Operational Procedure: Identifying documents for the Information Publication Scheme (OP 2013/01). The FOI contact officer may also identify documents that might need to be published through conducting reviews of the IPS entry.
7. A staff member who provides the document to the FOI contact officer should raise any concerns about the publication when the document is provided in accordance with OP 2013/01.



8. The FOI contact officer must then identify whether the document falls within a class of documents that are required to be published, whether any relevant exemptions exist and whether, if the document is not required to be published, the document should be published, in accordance with the aims of the FOI Act and the pro-disclosure culture of the ACNC.
9. If the FOI contact officer considers that there is a risk to the ACNC, the government or any government body, or a third party if the information is published, and it is unclear whether an exemption applies, the matter must be discussed with the Director of Legal.
10. When a decision is made in relation to the document (whether to publish or not), the FOI contact officer must complete the IPS Information Register.
11. Where a decision is made to publish a document, the FOI contact officer will advise the director who is responsible for that particular document. That director must then arrange for that document to be published within a reasonable time.

Ongoing Obligations

12. The FOI contact officer should ensure that the ACNC complies with its obligations under the FOI Act in relation to the IPS.
13. The FOI contact officer should:
 - a) provide information and assistance to staff about the IPS requirements
 - b) ensure that systems are in place to encourage directors to regularly consider whether the IPS entry is up-to-date, accurate and complete. For this purpose, the FOI contact officer should send out quarterly email reminders, which ask the directors to consider whether:
 - i) the current version of documents required to be published on the IPS has been published
 - ii) any new documents that are required to be published have been forwarded for publication
 - c) stay informed about any updates to the law or guidance provided by the Office of the Australian Information Commissioner or other relevant government agency
 - d) conduct limited quarterly reviews of the IPS entry (this could coincide with the reporting obligations to the Office of the Australian Information Commissioner).

Annual Review

14. The FOI contact officer will conduct a yearly review of the IPS and Agency Plan in consultation with the ACNC Directors and in accordance with OP 2013/02 Operational Procedure: Review of the Information Publication Scheme. At that time, the relevant IPS procedures should also be reviewed.
15. An agency self-assessment checklist (published by the Office of the Australian Information Commissioner) should be completed during the annual review.

References

[Freedom of Information Act 1982 \(Cth\)](#)

[Privacy Act 1988 \(Cth\)](#)

[ACNC Information Handling Policy](#)

[ACNC Freedom of Information Policy](#)

[ACNC IPS agency plan](#)

[Operational Procedure: Identifying documents for the Information Publication Scheme](#)

Operational Procedure: Review of the Information Publication Scheme

Version	Date of effect	Brief summary of change
Version 1 - Initial policy	03/03/2015	Initial OP endorsed by Commissioner on 3 March 2015