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SA Health

Policy

Freedom of Information

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Version 1.2

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Government
of South Australia

SA Health

1. Name of Policy

Freedom of Information

2. Policy statement

This Policy sets out the mandatory requirements that apply across South Australian public health agencies to ensure the appropriate processing of Freedom of Information applications in accordance with the *Freedom of Information Act 1991* (FOI Act).

SA Health is committed to meeting the objectives of the FOI Act, including promoting openness and accountability in Government and facilitating greater public participation in the development of policies.

3. Applicability

This policy applies to all employees and contracted staff of SA Health; that is all employees and contracted staff of the Department for Health and Wellbeing, Local Health Networks (including state-wide services aligned with those Networks) and SA Ambulance Service.

4. Policy principles

SA Health's approach to freedom of information is underpinned by the following principles:

- > We will comply with all requirements of the FOI Act.
- > We will establish systems and processes to facilitate the timely response to FOI applications.
- > We will work collaboratively with the Ombudsman to meet the objectives and intent of the FOI Act.

5. Policy requirements

- > In addition to the specific requirements stated in the FOI Act, each public health agency must:
 - Appoint appropriate skilled, accredited FOI Officer(s), accountable to the Chief Executive (Officer) and their delegate (for management oversight) for ensuring compliance with the FOI Act;
 - Maintain a register of all FOI applications and its status for compliance with mandated reporting;
 - Implement systems and processes to ensure that applications are processed in accordance with legislated timeframes, or within extended timeframes as negotiated;
 - Ensure that internal notification processes do not impede on legislated timeframes;
 - Securely store documents obtained throughout the FOI process;
 - Respond to the Ombudsman in a timely manner to support it in its legislative obligations;
 - At least annually, report to an appropriate governance structure (such as an Audit and Risk Committee) their level of compliance with this policy; and
 - Maintain a disclosure log in accordance with the requirements of PC045.
- > All employees must provide in a timely manner, unredacted documents requested by the FOI Officer in the form requested.

6. Mandatory related documents

The following documents must be complied with under this Policy, to the extent that they are relevant:

- > [Freedom of Information Act 1991](#)
- > [PC045-Disclosure Log Policy](#)

7. Supporting information

- > [State Records - FOI Guidance and Resources](#)
- > [Ombudsman SA - Freedom of Information](#)

8. Definitions

- > **Agency:** an employing authority or any other agency of instrumentality of the Crown.
- > **Statewide services:** includes Statewide Clinical Support Services, Prison Health, SA Dental Service, BreastScreen SA and any other state-wide services that fall under the governance of the Local Health Networks.

9. Compliance

This policy is binding on those to whom it applies or relates. Implementation at a local level may be subject to audit/assessment. The Domain Custodian must work towards the establishment of systems which demonstrate compliance with this policy, in accordance with the requirements of the [Integrated Compliance Policy](#).

Any instance of non-compliance with this policy must be reported to the Domain Custodian for the Integrity Policy Domain and the Domain Custodian for the Risk, Compliance and Audit Policy Domain.

10. Document ownership

Policy owner: Domain Custodian for the Integrity Policy Domain

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11. Document history

Version	Date approved	Approved by	Amendment notes
V1.2	17/05/2023	Domain Custodian	Minor review
V1.1	18/02/2022	Deputy Chief Executive, Corporate & System Support Services	Update to new policy framework template
V1.0	06/12/2017	SA Health Policy Committee	Original version