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Freedom of Information Policy & Procedure

APPROVED BY: Pathways SouthWest Board of Management

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THIS POLICY & PROCEDURE APPLIES TO: Pathways SouthWest Board of Management, Staff, Students, Volunteers, Consumers, Carers, other Stakeholders and the General Public

Freedom of Information Policy & Procedure

Policy

1. Board of Management

1. All Board of Management minutes, papers, materials and deliberations shall be open to the public except where the board passes a motion to make any specific portion confidential.

2. Client Records

1. All client records shall be available for consultation by the client concerned or by their legal representatives.
2. Subject to provision 2.1, no client records shall be made available to any other person outside the organisation, except when legally required.

3. Staff Records

1. All staff records shall be available for consultation by the staff member concerned or by their legal representatives.
2. Subject to provision 2.1, no staff records shall be made available to any person outside the organisation, except when legally required.
3. Within the organisation, staff records shall be made available only to those persons with managerial or personnel responsibilities for that staff member.

4. Member and Donor records

1. All records of the members of the organisation and donor records shall be available for consultation by the members and donors or by their legal representatives.
2. Subject to provision 2.1 no member and donor records shall be made available to any other person outside the organisation, except when legally required.
3. Any member shall be entitled to receive on request a list of members with contact addresses.
4. Within the organisation, member and donor records (with the exception of employees) shall be made available only to those persons with managerial or personnel responsibilities for dealing with those members and donors, except that
5. Member and donor records shall be made available to the board when requested.

5. Administrative records

1. All records and materials not falling into the categories above may be released to the public at the discretion of the Chief Executive Officer, who shall take into consideration
 - a. a general presumption in favour of transparency
 - b. the relevant provisions of the Associations Incorporation Act and the Australian Charities and Not For Profit Commission (ACNC) regarding information to be made available to members

- c. the marketing, commercial, legal, and administrative interests, priorities, and resources of the organisation, including:
 - i. commercial confidentiality
 - ii. copyright issues
2. The Chief Executive Officer may at their discretion charge any applicant the full costs of providing the information requested.

Procedure

Requests for access

1. Any request for access to records or materials shall be made in the first instance to the organisation's Chief Executive Officer.
2. Where requests are made for client files or staff files by any person not the client or staff member, the Chief Executive Officer shall inform the client or staff member and allow them to make any submissions they wish.
3. The Chief Executive Officer may, where appropriate, consult with Board of Management.

Procedure and charges for access

1. Requests from members under section 4.3 shall be subject to no charges, and the names and addresses of members shall be given in hard copy format and (where available) in electronic format.
2. For all other requests, the Chief Executive Officer shall allow access to approved organisation records and materials under such conditions and according to such arrangements as they see fit.
3. Where the request for information is on such a scale or of such difficulty that it would impose an unreasonable burden on the organisation's resources, the Chief Executive Officer shall impose such charges as they see fit.

Record keeping

1. The Chief Executive Officer shall report to every meeting of the Board of Management on the number, nature and outcome of requests for records or materials since the previous meeting.
2. The Chief Executive Officer shall ensure that membership applicants and service user's are aware of and consent to this policy.