

GIPA Act Annual Report 2016-2017

NSW Health Pathology GIPA Act Annual Report 2016-17

1. **Clause 7(a)** Details of the review carried out by the agency under section 7(3) of the Act during the reporting year and the details of any information made publicly available by the agency as a result of the review.
2. **Clause 7(b)** Number of access applications received – Clause 7(b)
3. **Clause 7(c)** Number of refused access applications for Schedule 1 information
4. **Clause 7(d)** Schedule 2 Statistical information about access applications (**8 appended tables**)

1. PROACTIVE RELEASE

Our program for the proactive release of information involves:

- Considering information held that may be of interest to the public that is not already released proactively;
- Considering GIPA applications (informal and formal) received to assess the type of information requested;
- Considering information produced in the last year that may be of interest to the public to release proactively.
- Reviewing the initiatives, developments or projects relevant to our organisation that we would like to the public to know about.

During the reporting period, we reviewed this program by:

- Asking key staff about information frequently asked for.
- Reviewing the proactive releases of other health agencies via their websites.
- Reviewing GIPA applications and third party consultations to assess the types of information requested.
- Considering information we have produced in the last financial/reporting year.

We published information including:

- Changes to NSW Health Pathology's organisational structure
- NSW Health Pathology ICT Strategic Snapshot 2015-20
- Details of a project to improve perinatal post-mortem service and related development of new statewide service model
- Details of new NSW Forensic Pathology and Coroner's Court project Lidcombe (including community updates)
- NSW Health Pathology Research and Innovation Framework
- NSW Health Pathology magazine *Compass* and external newsletters

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2. NUMBER OF ACCESS APPLICATIONS RECEIVED – CLAUSE 7(B)

- During the reporting period our agency received 2 formal access applications and four third party consultations.

3. NUMBER OF REFUSED ACCESS APPLICATIONS FOR SCHEDULE 1 INFORMATION – CLAUSE 7(C)

- During the reporting period we refused no formal access applications in their entirety because the information requested was information referred to in Schedule 1 of the GIPA Act 2009. However, we refused one application *in-part* due to this.

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1. CLAUSE 7(D) SCHEDULE 2 STATISTICAL INFORMATION ABOUT ACCESS APPLICATIONS (8 APPENDED TABLES)

Table A: Number of applications by type of applicant and outcome*

	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn
Media	0	0	0	0	0	0	0	0
Members of Parliament	0	0	0	0	0	0	0	0
Private sector business	0	0	0	0	0	0	0	0
Not for profit organisations or community groups	0	0	0	0	0	0	0	0
Members of the public (application by legal representative)	0	0	0	0	0	0	0	0
Members of the public (other)	0	1	0	1	1	1	0	0

* More than one decision can be made in respect of a particular access application. If so, a recording must be made in relation to each such decision. This also applies to Table B.

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Table B: Number of applications by type of application and outcome

	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn
Personal information applications*	0		0	0	0	1	0	0
Access applications (other than personal information applications)	0	0	0	0	0	0	0	0
Access applications that are partly personal information applications and partly other	0	1	0	0	0	0	0	0

* A **personal information application** is an access application for personal information (as defined in clause 4 of Schedule 4 to the Act) about the applicant (the applicant being an individual).

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Table C: Invalid applications	
Reason for invalidity	No of applications
Application does not comply with formal requirements (section 41 of the Act)	2
Application is for excluded information of the agency (section 43 of the Act)	0
Application contravenes restraint order (section 110 of the Act)	0
Total number of invalid applications received	2
Invalid applications that subsequently became valid applications	2
Table D: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 to Act	
	Number of times consideration used*
Overriding secrecy laws	0
Cabinet information	0
Executive Council information	0
Contempt	0
Legal professional privilege	0
Excluded information	1
Documents affecting law enforcement and public safety	0
Transport safety	0
Adoption	0
Care and protection of children	0
Ministerial code of conduct	0
Aboriginal and environmental heritage	0

* More than one public interest consideration may apply in relation to a particular access application and, if so, each such consideration is to be recorded (but only once per application). This also applies in relation to Table E.

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Table E: Other public interest considerations against disclosure: matters listed in table to section 14 of Act			
	Number of occasions when application not successful		
Responsible and effective government	0		
Law enforcement and security	0		
Individual rights, judicial processes and natural justice	1		
Business interests of agencies and other persons	0		
Environment, culture, economy and general matters	0		
Secrecy provisions	0		
Exempt documents under interstate Freedom of Information legislation	0		
Table F: Timeliness			
	Number of applications		
Decided within the statutory timeframe (20 days plus any extensions)	0		
Decided after 35 days (by agreement with applicant)	2		
Not decided within time (deemed refusal)			
Total	2		
Table G: Number of applications reviewed under Part 5 of the Act (by type of review and outcome)			
	Decision varied	Decision upheld	Total
Internal review	0	0	0
Review by Information Commissioner*	0	0	0
Internal review following recommendation under section 93 of Act	0	0	0
Review by NCAT	0	0	0
Total	0	0	0

* The Information Commissioner does not have the authority to vary decisions, but can make recommendations to the original decision-maker. The data in this case indicates that a recommendation to vary or uphold the original decision has been made by the Information Commissioner.

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Table H: Applications for review under Part 5 of the Act (by type of applicant)	
	Number of applications for review
Applications by access applicants	0
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0
Table I: Applications transferred to other agencies under Division 2 of Part 4 of the Act (by type of transfer)	
	Number of applications transferred
Agency-initiated transfers	1
Applicant-initiated transfers	0