



Authorised Proactive Release Policy and Procedure

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1. Abbreviations and definitions

Abbreviations

DNSW	Destination NSW
GIPA Act	Government Information (Public Access) Act 2009
GIPA Regulation	Government Information (Public Access) Regulation 2009
IPC	Information and Privacy Commission
You/Your	DNSW employees including contractors

Definitions

Proactive release program	Has the meaning given to it under “authorised proactive release” and is the formal process in which an agency voluntarily releases information to the public
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2. Background

The *Government Information (Public Access) Act 2009* (GIPA Act) authorises agencies to release information through proactive release programs which must be reviewed each year, and outcomes reported to the Information and Privacy Commission NSW (IPC)¹.

The GIPA Act establishes four ways by which government information, not made publicly available under other legislative schemes, may be accessed:

1. **Mandatory proactive release** – “open access information” as defined under the GIPA Act is required to be made publicly available on the agency’s website.
2. **Authorised proactive release** – other information identified by an agency in the course of its program of release of information that should, in the public interest, be made publicly available.
3. **Formal release** – information that is requested by a member of the public made by way of a formal GIPA request application.
4. **Informal release** – information that is requested by a member of the public made without a formal GIPA request application.

DNSW proactively releases information about the NSW tourism and major events sector for public access freely on its websites, including:

¹ Section 7(3) of the GIPA Act



- media releases;
- policies;
- annual reports;
- Grant Programs
- Grant recipients
- details of how stakeholders can comment;
- details including how to access DNSW's contracts available at <https://www.tenders.nsw.gov.au/>
- DNSW class 3 contracts under the GIPA Act.

3. Purpose

This policy and procedure outlines the process for identifying, reviewing and obtaining approval to proactively release information ([see part 5 – Procedure of this document](#)).

DNSW is committed to proactively releasing information to the public in accordance with the GIPA Act and the IPC's guidelines. We recognise the importance of transparency and openness in our decision-making processes and will regularly review and release information to the public.

Information exempt under the GIPA Act (e.g. personal information or confidential information) will not be proactively released.

4. Relevant legislation

Section 7 of the GIPA Act requires DNSW to make any government information it holds publicly available unless there is an overriding public interest against disclosure.

Clause 8(a) of the GIPA Regulation requires agencies to report on²:

1. How they reviewed their proactive release program as required under section 7(3) of the GIPA Act to identify the types of information that could be released; and
2. What information was released publicly as a result.

5. Proactive Release Program

Part 5 outlines the process for the authorised proactive release of DNSW information.

5.1 Obligations and responsibilities

DNSW executives

DNSW executives, as the agency's decision-makers, have a responsibility for proactively releasing information to the public, promoting openness and accountability in the decision-making processes.

The following DNSW roles are considered decision makers for the purpose of this policy:

² Under section 7(3) of the GIPA Act, all agencies must have conducted such a review.



- CEO
- DNSW Board members
- General Managers
- Directors

Decision makers should:

- identify and consider for release, throughout the year, information that the agency has produced or acquired since the last review
- consider, throughout the year, initiatives, developments or projects relevant to DNSW that it wants the public to know about

DNSW staff

- Assist in identifying and preparing information for release.

Legal Team

- Coordinate the proactive release program and approval for publication process.
- Ensure reporting to the IPC is timely and in compliance with the GIPA Act and Regulation.

5.2 Procedure

DNSW's proactive release process is outlined in the flow chart below, which details the steps from identifying information to publishing and reporting:



Step 1: Identifying information for proactive release

Each respective business unit is responsible for identifying government information held by the agency for proactive release. This may include information such as:

- Policy documents
- Guidelines
- Fact sheets
- Operational manuals
- Reports
- Data



Decision makers and staff should refer to the considerations above (see [part 5.1](#)) when identifying what information they hold to ensure the proactive release of information meets the GIPA Act and public interest.

The Legal team will engage with business units to oversee and coordinate the proactive release program.

Step 2: Legal team review

Compliance with the proactive release of information is coordinated by the Legal team. Once business units have identified information proposed for release and publication, the information is to be provided to the Legal team to undertake an assessment.

Business units must complete the form at [Annexure A](#) of this document when submitting information to the Legal team for review.

Business units must notify the Legal team of any sensitive or personal information they become aware of, to ensure appropriate handling and consideration in the proactive release process.

The Legal team will review information proposed for publication for any public interest considerations against disclosure of the information³.

Step 3: Obtain approval for publication

The Legal Team will liaise with each business unit to coordinate approval and publication.

- General Managers of each respective business unit must approve to proactively release information
- Certain information may require CEO approval to proactively release information
- Certain information may require Board members' approval to proactively release information

The Corporate Affairs & Policy team will publish the information onto the DNSW corporate website following Legal review and approval.

Step 4: Review & update released information

DNSW will regularly review and update released information to ensure it remains accurate and relevant.

Business units are responsible for ensuring the published information is still accurate and relevant:

- Update or remove outdated information
- Consider releasing new information

Step 5: Report to the IPC

DNSW must include a section in the annual report detailing their proactive release activities.

The Legal team will coordinate and ensure the proactive release program is in place and reviewed each year, with outcomes reported to the IPC in accordance with the GIPA Act.

³ Schedule 1 and the section 14 Table of the GIPA Act



Proactive Release Review Period and Reporting Timeline

The Legal Team will undertake a review of the proactive release program once every 12 months and periodically invite DNSW executives to identify and review information that could be in the public interest.

The proactive release review period will align with the agency's annual report period, which is from 1 July to 30 June.

Key Dates:

- Proactive release review period: **1 July - 30 June**
- Agency annual report submission (including GIPA data and proactive release review outcomes) to Minister: **31 October**⁴
- Annual report tabled in Parliament
- Submission of GIPA data, including annual report (after the report has been tabled in each House of Parliament), to IPC: **December**⁵

6. Monitoring and Review

The Legal team will review the proactive release program each year, with outcomes reported to the IPC in accordance with the GIPA Act.

The Legal team will monitor and review this policy and procedure and update when necessary. There will be a review every two years from the date of approval of this policy document.

DNSW will provide any necessary training to ensure staff understand their obligations under this policy.

Document Control

DNSW may amend this policy from time to time as appropriate.

Owner	Latest Version	Next Review Date
Legal, Procurement and Governance	9 July 2024	9 July 2026

⁴ Clause 8 GIPA Regulation requires agencies must detail the review of proactive release.

⁵ Section 125 GIPA Act requires a copy of the annual report be provided to the Information Commissioner after the report has been tabled in each House of Parliament.



Annexure A – Proactive Release Form – For Business Unit

Document title	Proposed for publication [Y/N]	Reasons or comments [e.g. sensitive or personal information, copyright issues, third-parties]	If published: Location link on website

*Add more rows as necessary for each document

Please provide the following information:

1. Location to access the files: [Create a share folder link for Legal team to access]
2. Business units must notify the Legal team of any **sensitive or personal information** they become aware of, to ensure appropriate handling and consideration in the proactive release process.



Business Unit

Completed by:

Approved by: [GM approval required]

Date: Click or tap to enter a date.

Legal Unit

Reviewed by:

Approved by:

Additional comments:

Date: Click or tap to enter a date.