

# Access to and Amendment of UQ Documents Procedure

## Section 1 - Purpose and Scope

- (1) This Procedure sets out the process for accessing documents and for the amendment of documents containing personal information held by The University of Queensland (UQ or the University).
- (2) Under the [Right to Information Act 2009](#) (the [RTI Act](#)) and the [Information Privacy Act 2009](#) (the [IP Act](#)), the community has a right to have access to information held by State Government departments and local and public authorities (including Queensland public universities), subject to limited exceptions, with a view to achieving more open, accountable and responsible government.
- (3) This Procedure applies to all UQ staff, and to applicants seeking to access University-held documents.
- (4) This Procedure does not apply to:
  - a. independent organisations that are not regarded as part of the University; and
  - b. UQ [Controlled Entities](#).

## Section 2 - Process and Key Controls

- (5) As a Queensland public university, UQ is required to comply with legislative obligations under the [RTI](#) and [IP Acts](#).
- (6) In accordance with its legislative obligations, UQ makes information available proactively, through:
  - a. its [Publication Scheme](#);
  - b. administrative access schemes; and
  - c. its [Disclosure Log](#).
- (7) Applicants seeking access to University-held information not publicly available must apply through a formal application under the [RTI](#) or [IP Act](#).
- (8) Individuals who wish to amend personal information in respect to themselves that they believe is inaccurate, incomplete, out-of-date or misleading, and who have not been able to effect such an amendment through relevant administrative channels, must apply via a formal amendment application under the [IP Act](#).

## Section 3 - Key Requirements

### Administrative Access Schemes

- (9) UQ operates a number of administrative access schemes to facilitate access by UQ students and staff to their own personal information.

(10) These schemes allow UQ students and staff to access a copy of their student or staff file, or their referee reports, except where the University considers the information to be confidential or otherwise exempt under the [RTI](#) or [IP Act](#).

(11) These administrative access schemes apply only to current students and staff, and their third-party representatives. Former students or staff seeking access to their personal information, or current students and staff seeking access to personal information not covered by the University's administrative access schemes, must apply via a formal access application.

(12) Patients of University clinics who are seeking access to their clinical files should contact the relevant clinic directly.

(13) The UQ Right to Information and Privacy Manager is responsible for processing applications made under the University's administrative access schemes, and applications will normally be processed within 20 business days. Applicants dissatisfied with the information provided to them under any of these schemes may make a formal access application (refer to 'Formal Access Applications' provisions (clauses 25-31) of this Procedure).

### **Access to Student and Staff Files**

(14) Current students and staff can access a copy of their student or staff file. To apply for access to their file, students and staff must:

- a. lodge a written request to the UQ Right to Information and Privacy Office via [rtip@uq.edu.au](mailto:rtip@uq.edu.au);
- b. include a copy of their current student or staff ID card; and
- c. provide sufficient information regarding the documents required.

(15) What can be applied for under this scheme:

- a. Routine study or employment-related documents and information, as contained in the applicant's student or staff file.

(16) What can't be applied for under this scheme:

- a. Official UQ academic transcripts and testamurs (refer to the [Degree Certificates, Transcripts and Documents](#) webpage for more information on ordering these).
- b. Documents and information relating to complaints, appeals and/or misconduct matters (application for these must be made via a formal access application).

(17) Where documents applied for under this scheme contain information considered to be confidential or otherwise exempt under the [RTI](#) or [IP Act](#), such information will be edited from the documents.

### **Access to Referee Reports (Academic Staff Levels A-D)**

(18) Current academic staff who have applied for confirmation of continuing appointment or promotion (excluding professorial confirmation and promotion) may apply for access to their referee reports.

(19) To apply for access to referee reports, staff members must:

- a. lodge a written request to the UQ Right to Information and Privacy Office via [rtip@uq.edu.au](mailto:rtip@uq.edu.au);
- b. include a copy of their current staff ID card; and
- c. provide sufficient information regarding which referee reports are required.

(20) Access under this scheme will only be granted where the referee has consented to the release of the report to the staff member. Where the University does not hold the relevant consents, application for these reports must be made

via a formal access application.

### **Access to Information by Third Parties**

(21) Third parties, typically solicitors and insurers, may apply for access to the personal information of their client (or the claimant, where applicable).

(22) To apply for access to the information, third parties must:

- a. submit their request via UQ's [Third-Party Information Requests](#) portal;
- b. provide signed written authorisation from the individual whose records are requested; and
- c. provide sufficient information regarding the information and/or documents to which access is sought.

(23) The University charges an application fee for all such requests, along with a per-page photocopying/scanning/collation fee for any requests involving 150+ pages. These fees are set out in the [schedule of fees and charges](#) on the University's Right to Information and Privacy website.

(24) The scope of information accessible under this scheme is the same as for access to student and staff files outlined under the 'Access to Student and Staff Files' provisions (clauses 14-17) of this Procedure (but also extends to patients of UQ Health and Rehabilitation Clinics). Where access is sought to information and/or documents that are outside of the provisions of this scheme, a formal access application may be made.

### **Formal Access Applications**

(25) A formal access application for University-held documents under the [RTI](#) and [IP Acts](#) can be made if access to the information is not available through UQ's publication scheme or administrative access schemes.

#### **Under which Act should Documents be Applied for?**

(26) Applications made under the [RTI Act](#) are appropriate for:

- a. Documents of the University not containing the applicant's personal information.
- b. Documents of the University where some (but not all) of the documents contain the applicant's personal information.

(27) Applications made under the [IP Act](#) are appropriate for documents of the University that contain the applicant's personal information.

### **Valid Applications**

(28) A formal access application under the [RTI](#) or [IP Act](#) must:

- a. be made in writing to the UQ Right to Information and Privacy Office (preferably via [rtip@uq.edu.au](mailto:rtip@uq.edu.au)) on the approved [application form](#);
- b. contain sufficient information to enable the relevant documents to be identified; and
- c. state a contact address to which correspondence can be sent.

(29) In addition to the above:

- a. Applications made under the [RTI Act](#) must be accompanied by payment of the application fee as set out in the [Right to Information Regulation 2009](#).
- b. If the application is for documents where some or all of the documents contain the applicant's personal information, the application must also be accompanied by evidence of the applicant's identity, as set out in

the [Information Privacy Regulation 2009](#).

- c. Where an agent is making application on behalf of an applicant, and the application is for documents where some or all of the documents contain the applicant's personal information, the application must also be accompanied by:
- i. evidence of the agent's identity, as set out in the [Information Privacy Regulation 2009](#); and
  - ii. evidence of the agent's authority to act on the applicant's behalf.

(30) There is no application fee for applications made under the [IP Act](#).

### **Processing RTI and IP Applications**

(31) [RTI](#) and [IP](#) applications will be processed in accordance with the provisions of the [RTI](#) and [IP Acts](#).

### **Amendment Applications**

(32) Under section 41 of the [IP Act](#), individuals can apply to the University to have their personal information amended if it is inaccurate, incomplete, out of date, or misleading.

(33) Where applicable, individuals should use the relevant Change of Details forms and channels for updating their contact details and contact preferences with the University.

### **Valid Applications**

(34) The basic compliance requirements for an amendment application are the same as those for an Information Privacy access application, as outlined in the 'Valid Applications' provisions (clauses 28-30) above. In addition, to apply to have their personal information amended, an applicant must:

- a. have previously accessed the information;
- b. set out how the information is inaccurate, incomplete, out of date, or misleading (and provide evidence of such); and
- c. state the changes or additions they believe are necessary to correct the information.

(35) Previous access to the information may have been through a formal access application, or via another means, and typically an applicant will be required to confirm the previous access by:

- a. providing a copy of the document;
- b. describing the document in sufficient detail to satisfy the decision-maker that the applicant has had access to it;  
or
- c. providing details about when and how the document was previously accessed.

(36) An individual cannot make a valid application for amendment of their personal information under the [IP Act](#) if they have not had access to the information.

(37) There is no application fee for amendment applications made under the [IP Act](#).

### **Processing Amendment Applications**

(38) Amendment applications will be processed in accordance with the provisions of the [IP Act](#).

(39) When granting the amendment application, the University may do so by:

- a. altering the personal information; or
- b. adding an appropriate notation to the personal information.

(40) If the University refuses to amend the applicant's personal information, the applicant can require the University to add a notation to the document that states the way in which the applicant claims the information to be inaccurate, incomplete, out of date or misleading.

## Review of Decisions

(41) The [RTI](#) and [IP Acts](#) provide that an applicant who is dissatisfied with certain decisions made in relation to their application may apply to the University for internal review, and/or may apply to the Office of the Information Commissioner for external review. Applications for review must be made within 20 business days of the decision.

(42) Applications for internal review must be made in writing to the UQ Right to Information and Privacy Office (preferably via [rtip@uq.edu.au](mailto:rtip@uq.edu.au)).

(43) Applications for external review must be made in writing to the [Office of the Information Commissioner Queensland](#).

# Section 4 - Roles, Responsibilities and Accountabilities

## UQ Right to Information and Privacy Office

(44) UQ's Right to Information and Privacy Office is responsible for administering UQ's administrative access schemes and its obligations under the [RTI](#) and [IP Acts](#).

(45) The functions of the UQ Right to Information and Privacy Office include:

- a. processing applications made to UQ under its administrative access schemes;
- b. dealing with applications made to UQ under the [RTI](#) and [IP Acts](#), in accordance with the delegation from the Vice-Chancellor and President; and
- c. advising UQ staff on right to information and privacy-related matters.

## Decision-makers

(46) As the University's principal officer, the Vice-Chancellor has powers and responsibilities under the [RTI](#) and [IP Acts](#). This includes the responsibility to deal with access applications. The Vice-Chancellor may delegate this responsibility, generally or in a particular case, to another officer of the University.

(47) The Vice-Chancellor has made the following delegations:

- a. The responsibility for processing any access application made to the University under the [RTI](#) or [IP Act](#) to:
  - i. the UQ Right to Information and Privacy Manager;
  - ii. the Associate Director, Enterprise Governance.
- b. The responsibility to deal with any application to the University for internal review made under the [RTI](#) or [IP Act](#) to:
  - i. The Chief Operating Officer.

## Section 5 - Monitoring, Review and Assurance

(48) The Right to Information and Privacy Office is responsible for:

- a. monitoring UQ's compliance with its obligations under the [RTI](#) and [IP Acts](#);
- b. reviewing this Procedure as required to ensure:
  - i. its currency and accuracy; and
  - ii. that UQ's processes comply with requirements under relevant legislation; and
- c. providing sufficient training opportunities and awareness-raising materials to enable UQ staff to meet their obligations under this Procedure.

## Section 6 - Recording and Reporting

(49) The Right to Information and Privacy Office is responsible for:

- a. recording all requests for information made under this Procedure; and
- b. providing management with an Annual Report on UQ's compliance with the [RTI](#) and [IP Acts](#).

(50) The Right to Information and Privacy Office also reports annually to the Department of Justice and Attorney-General in relation to the operation of the [RTI](#) and [IP Acts](#) by the University.

## Section 7 - Appendix

### Definitions

Term	Definition
Affiliates	Academic title-holders, visiting academics, emeritus professors, adjunct and honorary title-holders, industry fellows and conjoint appointments.
Document	For the purposes of the RTI and IP Acts , a document is very broad and includes:  - any paper or other material on which there is writing; and  - any paper or other material on which there are marks, figures, symbols or perforations having a meaning for a person qualified to interpret them; and  - any disc, tape or other article or any material from which sounds, images, writings or messages are capable of being produced or reproduced (with or without the aid of another article or device).
Document in the possession or control of the University	A document will be considered to be in the possession or control of the University if it:  - was created in, or received by the University;  - is a document which the University is entitled to access; or  - is a document in the possession or under the control of an officer of the University in that officer's official capacity.
Independent Organisations	Independent organisations include residential colleges (other than UQ Gatton Halls of Residence), staff and student unions and the sports associations.
Personal Information (for the purposes of the <a href="#">IP Act</a> )	Information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Term	Definition
Staff	<ul style="list-style-type: none"> <li>- Members of the University Senate;</li> <li>- all UQ employees, including continuing, fixed-term, research (contingent funded) and casual employees;</li> <li>- persons acting in an honorary or voluntary capacity for or at UQ, including work experience students; and</li> <li>- affiliates.</li> </ul>

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	28th February 2023
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<b>Policy Owner</b>	Joanna Spanjaard Director, Governance and Risk
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