



National Housing Finance
and Investment Corporation

FREEDOM OF INFORMATION POLICY

April 2022

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1. PURPOSE

The purpose of this policy is to set out National Housing Finance and Investment Corporation's (NHFIC) approach to, and management of, access to information, including how NHFIC will comply with its obligations under the *Freedom of Information Act 1982* (Cth) (FOI Act).

REVIEW

This policy will be reviewed every two years or more frequently if required, to ensure that it remains current, and is effective upon approval. Where material changes have been made as a result of a review, NHFIC staff will be given training on the revised policy.

2. INTRODUCTION

The broad objective of the FOI Act is to give the public the right to access documents held by the Australian Government. As a prescribed authority under the FOI Act, NHFIC is required to comply with this Act.

The FOI Act gives members of the public the right to:

- access copies of documents (except exempt documents) held by NHFIC;
- ask NHFIC to change or annotate information if it is incomplete, out of date, incorrect or misleading (where the information relates to the person making the request); and
- seek a review of a decision not to allow access to a document or not to amend their personal records.

While a member of the public can ask to access any document held by NHFIC, NHFIC can refuse access to some documents, or parts of documents that are exempt. Under Division 1, Part II of Schedule 2 of the FOI Act, exempt documents include documents in respect of NHFIC's commercial activities. Exempt documents may also include documents relating to national security or documents containing material obtained in confidence.

3. COMPLIANCE WITH THE FOI ACT

As a corporate Commonwealth entity, NHFIC is a prescribed authority that is subject to the FOI Act.

NHFIC is also required to comply with the Information Publication Scheme (IPS) requirements of the FOI Act. In accordance with section 8(1) of the FOI Act, NHFIC's IPS Plan describes how NHFIC complies with the IPS and how it will implement and administer the IPS.

This policy sets out the principles NHFIC will follow in order to make information accessible in accordance with the FOI Act.

3.1 FOI OFFICER

NHFIC has appointed its Chief Executive Officer (CEO) as the first point of contact for information access requests made to NHFIC. All information access related matters should also be referred to NHFIC's CEO.

In undertaking these functions, NHFIC's CEO will follow NHFIC's procedures for handling information requests and will be guided by the resources published by the Office of the Australian Information Commissioner (OAIC).

All NHFIC staff must follow NHFIC's procedures when handling information requests.

NHFIC's CEO can be contacted via an email sent to contact@nhfic.gov.au or by a letter addressed to the CEO sent to Level 8, Export Finance House, 22 Pitt Street, Sydney NSW 2000.

4. NHFIC INFORMATION PUBLICATION SCHEME

As required by the FOI Act, NHFIC has an IPS Plan. NHFIC's IPS Plan is set out at Annexure A and is available on NHFIC's website.

5. NHFIC INFORMATION DISCLOSURE LOG

In compliance with the FOI Act, NHFIC will make certain documents released in response to FOI requests available on its website.

6. PRINCIPLES

6.1 OPEN ACCESS TO INFORMATION

While NHFIC will endeavour to be as open as possible, there are certain provisions in the FOI Act, the *Privacy Act 1988* (Cth) (Privacy Act) and other legislation that may restrict the information that NHFIC can provide to applicants. For example, if a person seeks a document containing the personal information of another person, there are provisions in the FOI Act and the Privacy Act that apply to protect that information.

Relevantly, Division 1, Part II of Schedule 2 of the FOI Act, in conjunction with section 7(2) of the FOI Act, exempts NHFIC from the operation of the FOI Act in relation to documents in respect of its commercial activities.

Where NHFIC is unable to grant a request for access to information, NHFIC will always explain the reasons for the decision and provide information about review and appeal rights.

6.2 INFORMATION AVAILABLE OUTSIDE OF THE FOI PROCESS

NHFIC is committed to keeping its IPS and Information Disclosure Log as up-to-date as possible and will, wherever possible and lawful to do so, provide information without requiring a formal FOI request.

Where it is necessary for an FOI request to be made, or where a member of the public refers to the process, NHFIC will explain its FOI process, provide a contact person for the information applicant, and respond within the timeframes required by the FOI Act.

An FOI request may be made to NHFIC via an email sent to contact@nhfic.gov.au or by a letter addressed to the CEO, referring to the FOI Act, sent to Level 8, Export Finance House, 22 Pitt Street, Sydney NSW 2000.

6.3 SIMPLE AND TRANSPARENT PROCESS

NHFIC will ensure that its process for providing access to information is straightforward, timely and easy for people to understand.

NHFIC will always provide information applicants with details of their review options:

- with NHFIC;
- to OAIC; or
- to the Commonwealth Ombudsman.

6.4 CHARGES ASSOCIATED WITH ACCESS TO INFORMATION

NHFIC will make information available at the lowest reasonable cost and will reduce the cost of public access by publishing information on its website, especially information that is routinely sought by the public.

7. NON-COMPLIANCE

Non-compliance with any aspect of this policy will lead to formal disciplinary action and may result in termination of your employment with NHFIC.

ANNEXURE A

NHFIC INFORMATION PUBLICATION SCHEME PLAN

A1. PURPOSE

This Plan shows:

- what information NHFIC will publish;
- how the information will be published; and
- how NHFIC will otherwise comply with the Information Publication Scheme (IPS) requirements under section 8(1) of the FOI Act.

In this Plan information published or to be published by NHFIC under the IPS is referred to as “IPS information holding”.

A2. OBJECTIVES

NHFIC’s objectives in relation to this Plan are to outline appropriate mechanisms and procedures to:

- manage the IPS information holdings relevant to NHFIC’s compliance with the IPS;
- proactively identify and publish all information legally required to be published, including this Plan, in accordance with section 8(2) of the FOI Act;
- proactively identify and where practicable publish optional information, in accordance with section 8(4) of the FOI Act;
- review on a regular basis and ensure that IPS information holdings are accurate, up-to-date and complete;
- make arrangements so that information published under the IPS is easy to locate, understandable, machine readable and re-useable;
- make arrangements so that the format of online content complies with Web Content Accessibility Guidelines (Version 2); and
- monitor and assess NHFIC’s compliance with the IPS and this Plan.

A3. IMPLEMENTING THE IPS

NHFIC’s approach to developing its IPS contribution is:

- NHFIC’s Chief Executive Officer (CEO) is responsible for leading NHFIC’s work on compliance with the IPS.
- NHFIC will develop and maintain an IPS information register required to be published under the IPS and a ‘disclosure log’ of information released in response to FOI requests.
- The IPS information register will be reviewed periodically to identify any IPS information holdings and ensure that the information is up-to-date and complete.

- NHFIC will take a similar approach in relation to the identification of information that may be published under section 8(4) of the FOI Act (optional information). The IPS section of NHFIC's website will provide links to the IPS information holdings published on NHFIC's website.
- In NHFIC's reviews NHFIC will consider whether IPS information holdings are easy to locate, understandable, machine-readable, accessible and useable, as well as accurate, up-to-date and complete.
- NHFIC will also consider comments and feedback from its stakeholders (including the public) when determining whether IPS information holdings are easy to locate, understandable, machine-readable, accessible and useable, as well as accurate, up-to-date and complete.

A4. ADMINISTERING INFORMATION PUBLISHED UNDER THE IPS

NHFIC will develop and maintain an information management framework for IPS information holdings including:

- identifying on an ongoing basis any information that is required to be published;
- identifying on an ongoing basis any information that may be published;
- identifying on an ongoing basis any information that is already otherwise available to the public;
- making arrangements so that IPS information holdings continue to be easy to locate, accessible and useable, as well as accurate and up-to-date; and
- making arrangements to publish information about any charges to be imposed for providing IPS information, including how those charges will be calculated.

NHFIC's CEO is responsible for implementing, reviewing and revising this Plan.

Each relevant team at NHFIC is responsible for keeping IPS information holdings accurate, up-to-date and complete.

NHFIC does not impose access charges for its IPS information holdings. If this changes, NHFIC will update this Plan to provide details of how NHFIC will impose access charges and how they will be calculated.

NHFIC may engage in public consultation in relation to policies which form part of NHFIC's IPS information holdings.

A5. HOW NHFIC WILL PUBLISH IPS INFORMATION

NHFIC will publish the information required under the IPS in the IPS section or other sections of its website. If the information is not available for download, it will be made available in hard copy on request. Details of how this information can be obtained from NHFIC will be provided on NHFIC's website.

To make arrangements so that IPS information holdings are easy to locate, understandable and machine- readable, NHFIC will:

- wherever possible, provide online content in a format that can be searched, copied and transformed;
- provide a search function for its website; and

- seek and respond to community feedback about whether the IPS information is easy to locate, understandable and machine-readable.

NHFIC will publish IPS information holdings in English.

A6. ACCESSIBILITY UNDER THE IPS

NHFIC will implement the World Wide Web Consortium Standards and Web Accessibility Initiative Guidelines for accessible web page design by people with disabilities. NHFIC will meet the World Wide Web Consortium's Web Content Accessibility Guidelines version 2.0 ("WCAG 2.0") web standard endorsed by the Australian Government for all online information it is required to publish under the IPS and any new documents to be published in the IPS section.

Where a document is not yet available in an accessible format, it will be made available in an accessible format on request by contacting NHFIC's CEO. Those requests may be subject to a small number of exceptions including:

- PDFs made of images of scanned documents;
- documents that are out of date but are provided for historical reference; and
- charts, tables and forms.

A7. WHAT IPS INFORMATION NHFIC WILL PUBLISH

The IPS information holdings that NHFIC will make available, in accordance with section 8(2) of the FOI Act, on NHFIC's website will include:

- this Plan;
- information about the structure of NHFIC's organisation, including an organisational chart and information about NHFIC's Board, including statutory appointments;
- information about NHFIC's functions and decision-making powers, including NHFIC's operational information to the extent that information is not considered to be exempt (see note below);
- information about NHFIC's corporate governance structure, Board, its charter and Board Audit and Risk Committee;
- any NHFIC responses to Parliament, noting that NHFIC does not routinely provide information to Parliament;
- NHFIC's annual reports prepared in accordance with the *Public Governance, Performance and Accountability Act 2013* (Cth);
- information, if any, routinely made accessible in response to FOI requests and a disclosure log of information released in response to FOI requests;
- where NHFIC undertakes or is required to undertake public consultation on a policy, information on the procedure for public submissions; and
- the name, telephone number and email address of NHFIC's CEO who can be contacted about access to NHFIC's IPS information holdings or to whom a request under the FOI Act can be made.

In accordance with section 8C of the FOI Act, NHFIC will not publish any exempt matter. Pursuant to Division 1 of Part II of Schedule 2 of the FOI Act, this includes documents in respect of NHFIC's commercial activities.

On any annual review of this Plan, or if NHFIC's structure or business changes, the above references to the information available on NHFIC's website will be amended as necessary and this Plan will be updated to refer to the headings on NHFIC's website where this information is contained.

A8. OTHER INFORMATION TO BE PUBLISHED UNDER THE IPS

NHFIC will, where practicable, publish optional information in accordance with section 8(4) of the FOI Act.

A9. IPS COMPLIANCE REVIEW

NHFIC will undertake, in conjunction with the Information Commissioner, a first review of the operation of the NHFIC's IPS contribution within the timeframes set out in section 9(2) of the FOI Act.

Following this first review, NHFIC will undertake, in conjunction with the Information Commissioner, a review of the operation of NHFIC's IPS contribution as appropriate from time to time and in any case – within five years after the last review was completed.