

<b>Job title:</b> Freedom of Information & Privacy Specialist Officer	
<b>Classification:</b> Band 7	<b>Effective Date:</b> March 2024
<b>Reports to:</b> Coordinator Information Management	<b>Tenure:</b> Full Time

### About us:

At Whitehorse City Council, community is at the heart of everything we do.

We aspire to be a healthy, vibrant, prosperous, and sustainable community. We enable this through strong leadership and community partnerships.

We strive to stay ahead of evolving changes and needs of our community.

Our five key principles empower our employees to be innovative and to provide an excellent customer experience. We are a resilient organisation where everyone belongs.



**Excellent Customer  
Experience and  
Service Delivery**



**Great  
Organisational  
Culture**



**Innovation  
and Continuous  
Improvement**



**Good Governance  
and Integrity**



**Long Term  
Financial  
Sustainability**

### We value:

Our shared values and behaviours are integral to how we go about our work, interact with each other and our community. It is expected that all employees 'live' these shared values. In living these values we also ensure that everyone has a voice and that everyone matters.

#### Collaboration

We work flexibly together to achieve outcomes and solve problems.

#### Respect

We actively listen, value diversity and care.

#### Excellence

We adapt, respond, learn and grow.

#### Accountability

We take responsibility and follow through on our promises.

#### Trust

We act with integrity and are empowered to make decisions.

## Departmental Overview

The Governance and Integrity department comprises of four streams:

- Governance & Council Support
- Information Management
- Controls, Compliance & Process
- Risk & Insurance

## Goal Statement

The Freedom of Information & Privacy Specialist Officer acts as Council's primary Freedom of Information & Privacy subject matter expert and is responsible for delivering high-level information access service to internal and external stakeholders, ensuring that Council meets its obligations under the *Privacy and Data Protection Act 2014*, *Health Records Act 2001* and the *Freedom of Information Act 1982*. The role coordinates and administers Freedom of Information, Privacy and Data Protection responsibilities of Council, including assessment and analysis of all documents, liaison with applicants and provision of specialist advice and guidance to Council staff and members of the public in accordance with Council policies, procedures, processes and industry standards, ensuring that Council meets its legal obligations under each Act.

## Key Responsibilities

### *Position Specific Responsibilities*

- The position acts as the primary FOI and Privacy subject matter expert for the organisation and is responsible for the coordination and delivery of the FOI, privacy and data protection responsibilities of Council.
- Maintain the framework and implement the timely processing of the FOI and privacy requests and provide FOI and privacy training.
- To conduct investigative and analytical tasks related to FOI and privacy related matters.
- Assess FOI requests, consider the legislation and make decisions in accordance with the *Freedom of Information Act 1982* (FOI Act)
- Respond to internal and external privacy enquiries, investigate privacy complaints and breaches, as well as respond to requests for access to, and correction of, personal information.
- Liaise effectively with information requestors and/or their representatives to determine appropriate pathways to information access.
- Provide guidance and specific advice to staff members in all actions pertaining to applications made under both the *Freedom of Information Act 1982* and *Privacy*

*and Data Protection Act 2014 and Health Records Act 2001* within statutory timeframes.

- Develop and deliver training to enable staff to understand and meet their responsibilities under the *Freedom of Information Act 1982* and *Privacy and Data Protection Act 2014 and Health Records Act 2001*.
- Monitor industry and relevant sector FOI and privacy related issues/reports to ensure that actions that are relevant to the Council or organisation are highlighted and incorporated appropriately to strategies, policy and business planning activities.
- Accountable for creating and capturing accurate and complete records of the business activities related to this position, in accordance with approved policy and procedures. This is applicable to both hardcopy and electronic information, including email.
- Accountable for proactively contributing to the delivery of governance services and functions of the organisation.
- Developing, implementing, reviewing, and overseeing policies and procedures relating to Council's Freedom of Information and Privacy responsibilities.
- Practice effective reporting to track activity, themes and trends in privacy and FOI matters over time as well as mandatory annual reporting data.
- Promote the importance of the Victorian Privacy Principles and transparency across Council and within the public domain.
- Review all Privacy Impact Assessments prepared by staff and provide assistance where required.
- Ensure the Executive Leadership Team are regularly updated on current issues and emerging themes.

#### *Corporate Responsibilities*

- Ensure the organisation is aware of and compliant with relevant statutes and legislation.
- Identify and develop changes to policy and procedure in areas of responsibility.
- Adhere to all corporate policies, procedures and the organisational goals and values in the current Whitehorse City Council Collective Agreement.
- Understand and adhere to the Risk Management Policy (as it relates to the employees work area) and related procedures that are designed to minimise injury and/or loss to individuals, assets and equipment.
- Report any matters that may impact on the safety of Council employees or citizens, assets and equipment.

## Authority

*Budget:* Nil

*Staff Responsibility:* Nil

### *Decision Making:*

- Make decisions in relation to the *Freedom of Information Act 1982* and *Privacy and Data Protection Act 2014* on behalf of Council ensuring compliance with legislative requirements.
- This role is authorised to make decisions within Council's policies and Instruments of Delegations, relating to but not limited to FOI, privacy and *Data Protection and Health Records Act 2001*.
- Interpretation, assessment, processing, and advice relating to all aspects of FOI and Privacy legislation.
- Accountable for ensuring compliant application of the legislative framework for privacy matters, *Privacy and Data Protection Act 2014*, *Health Records Act 2001* and the *Freedom of Information Act (Vic) 1982*.
- The adaptation and development of problem-solving methods, procedures and processes from current experience and theory obtained from other local government and statutory environments to apply to new situations and problems in FOI and privacy.
- Perform reviews on complaints relation to breaches of privacy and FOI.
- Make recommendations to the Coordinator Information Management and Manager Governance and Integrity in relation to matters related to policy and privacy and FOI.
- The ability to identify and analyse relevant issues and engage in and seek significant input and consultation with internal and external customers, to develop a range of solution options and policies to be considered by management.
- Use sound judgement based on specialised experience and qualifications to escalate issues, identify the key information relevant to making a decision or providing appropriate recommendations to management based on evidence and tracking into account broader strategic issues.
- Prepare decisions in accordance with the requirements of the *Freedom of Information Act (Vic) 1982* and the *Privacy and Data Protection Act 2014* and *Health Records Act 2001*.
- The role provides specialist FOI and privacy advice to internal and external stakeholders.
- Detailed understanding of policy and strategy development in a complex local government context.

## Key Relationships

The position will liaise with all levels within the organisation.

- Governance and Integrity department
- Executive Leadership Team
- Internal staff
- General public
- Other organisations (OVIC).

## Skills and Attributes

### *Qualifications/Certificates/Licences and Experience*

- Tertiary qualifications in a related discipline and/or relevant experience in FOI, and information access and release.
- Significant experience and proficiency in the processing of FOI and information and privacy requests.
- A working knowledge of and experience in the *Local Government Act 2020*, the *Freedom of Information Act 1982* and *Privacy and Data Protection Act 2014*, and the *Health Records Act 2001* including the underlying principles as distinct from the practices.
- Ability to engage proactively and establish and maintain effective working relationships and ongoing consultation, communication, and collaboration with key stakeholders to achieve timely and successful outcomes as per statutory timeframes.

### *Other technical skills*

- Sound understanding of the social, political and legal frameworks in which local government operates.
- An innate understanding of legislative and regulatory frameworks for privacy and FOI and the principles underpinning them.
- Ability to understand and interpret legislative and policy matter and provide guidance and advice to team members and customers.
- Well-developed administration skills and a high level of proficiency with computer software systems, including Microsoft Office.
- Excellent analytical, investigative and research skills with proficient in interpreting complex information.
- Ability to coordinate tasks, determine priorities, monitor workflows and deliver outcomes on time.
- Self-motivated and able to work with minimal supervision.
- Demonstrated ability to plan, prioritise and organise own work to meet statutory timelines in an environment of change and conflicting demands.

### *Interpersonal*

- Strong communication skills demonstrated through the ability to liaise with a variety of stakeholders whilst communicating complex information in a manner that can be easily understood and building mutually beneficial relationships.
- Ability to gain cooperation and assistance from both the public and Council staff members when required involving sensitive issues to exchange information and seek advice.
- Ability to establish and maintain positive relationships with stakeholders.
- Ability to use initiative and act professionally with integrity, discretion, and confidentiality at all times, and maintaining a courteous, cooperative working relationship with all internal and external stakeholders to uphold a positive public image of Council.
- Demonstrated ability to work cooperatively and gain cooperation and assistance from members of the public, management, staff and other organisations to achieve Council objectives.
- Excellent written and verbal communication skills and attention to detail, including ability to provide advice on complex/sensitive issues; prepare complex correspondence; and maintain comprehensive and accurate records.
- Highly developed organisational and time management skills with demonstrated ability to prioritise workloads.
- Well-developed analytical skills, with the ability to identify solutions to complex issues.
- Demonstrated ability to understand statutory and other procedural requirements.

### **Key Selection Criteria**

1. Tertiary qualifications in a related discipline and/or significant experience and proficiency in the processing of FOI and information access and release.
2. Excellent written and verbal communication skills and attention to detail, including ability to: provide advice on complex/sensitive issues; prepare complex correspondence; compile comprehensive and accurate records; and review/prepare procedures, guidelines and policies.
3. Excellent organisational and time management skills and the ability to work with changing priorities in a changing environment within strict timeframes in support of statutory requirements and appropriate organisational and team initiatives.
4. Demonstrated ability to understand statutory and other procedural requirements and to implement, monitor and maintain systems and statutory registers, which ensure compliance with stated requirements.

## Physical Requirements

Physical Functional Demand	Specific Physical Job Tasks	Frequency/Duration of performance of task per day	Comments
<b>Kneeling/Squatting</b> Tasks involve flexion/bending at the knees, ankle, and waist in order to work at low levels.	General tidying of area	Occasional	
<b>Hand/Arm Movement</b> Tasks involve use of hand/arms	Preparation of correspondence, documents, notes for meetings	Intervals throughout the day	
<b>Bending/Twisting</b> Tasks involve forward or backward bending or twisting at the waist.	Workstation duties – Interaction with varied levels, draws and storage cupboards	Intervals throughout the day	
<b>Standing</b> Tasks involve standing in an upright position	Meeting with Council officers. Including review, display and sorting of documents	Occasional	
<b>Reaching</b> Tasks involve reaching above head, and above and equal to shoulder height	Accessing Cupboards	Occasional	
<b>Walking</b> Tasks involve walking on slopes and walking whilst pushing/pulling objects	Regular intervals throughout the day, short distances	Regular short distances < 50m, Trolley used when appropriate to aid in manual handling	
<b>Lifting/Carrying</b> Tasks involve raising, lowering and moving objects from one level position to another	Collecting, returning hard copy files	Short distances, stable load < 5kg	

Physical Functional Demand	Specific Physical Job Tasks	Frequency/Duration of performance of task per day	<i>Comments</i>
<b>Pushing/Pulling</b> Tasks involve pushing/pulling away, from and towards the body	Movement of objects, documents and other equipment at workstation	Occasional	
<b>Keyboard Duties</b> Tasks involve sitting at workstation and using computer.	Council Meetings, Councillor Briefings, Data Entry, emails, Phone interaction, reports, correspondence etc	Intervals over 7.60 hour shift	
<b>Satisfactory Vision</b> Standard of vision required equal to that required for driver's licence	Read, review and send documents. Hard copy and electronic	Regular intervals throughout the day	

**Any other relevant comments:**