

Proactive and informal release of information

In Victoria, you have the right to request access to documents held by Victorian public sector agencies under the *Freedom of Information Act 1982 (Vic)* (**the Act**). Your right of access is subject to limited exceptions and exemptions.

The purpose of the Act is to extend as far as possible, your right to access information held by Victorian public sector agencies. This promotes government transparency and accountability, and helps to build public trust in government.

In addition to this right to make a formal request for access to government-held documents, the Act also encourages agencies to release information outside the Act. This is called proactive and informal release.

What is proactive release?

Proactive release involves an agency making information or documents it holds or collects publicly available, on its own accord without you making an information access request.

An agency can choose to proactively release information in several ways. Some examples include:

- information an agency publishes on its website, including publication of non-personal information, reports, submissions and documents;
- data published on data.vic.gov.au;
- tender, contractual and financial information published on [Buying for Victoria](#); or
- information published online in public registers.

What is informal release?

Informal release of information occurs when you ask an agency for information and the agency releases that information, either in full or in part, to you outside of the Act. This is also known as administrative release.

An agency may provide access to information informally by:

- Providing you with information over the telephone or via email in response to a formal freedom of information (**FOI**) request.

For example, a member of the public submits an email enquiry to an agency asking for information on when it will close public consultation on a proposed infrastructure project, and what the next steps are, and the agency provides the requested information by return email.

- Inviting you to inspect information.

For example, a member of the public asks an agency if they can inspect information on a

register that the agency maintains. The agency provides information about how to inspect information on the register, including whether the person needs to fill out an application form and whether a fee applies. The agency facilitates the inspection.

- Providing access to information under an informal release scheme. Some agencies have developed and administer informal release schemes, which may be established under legislation or policy. These schemes outline a process for requesting access to information outside of the Act. In some cases a charge may apply to access information or a document.

For example, an agency may identify commonly requested information under the Act and establish a process for accessing that information under an informal release scheme. The agency provides information about how to access information under the scheme on its website and facilitates access to information via the scheme.

Benefits of proactive and informal release

There are significant benefits to both agencies and the public when government-held information is released proactively and informally. For example, proactive and informal release:

- improves government service delivery to the public by providing access to information faster and more easily than FOI;
- builds public trust and confidence in decision-making by government and public institutions and strengthens principles of liberal democracy;
- enhances public sector accountability and integrity;
- increases public access to government information and public participation in policy development and government decision making;
- reduces the need for an individual to make a formal FOI request and the staff and financial resources required to administer the Act; and
- provides the opportunity for an agency and individual to agree on when and in what form information is to be released.

More information

If you are unsure how to access government-held information (for example, whether it requires a formal FOI request, can be released via informal release or is publicly available), contact the agency that you believe holds the information for further guidance about how you may access the information.

Disclaimer: The information in this document is general in nature and does not constitute legal advice.

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