

Informal release decision templates

Who is this information for?

NSW information access practitioners providing a decision on an informal release request.

Why is this information important?

These templates will provide important information and wording when providing a decision on an informal release request. There are several response options depending whether access is provided.

Informal release of information

The informal release of information provides benefits for agencies and citizens and increases access to government information as intended under the *Government Information (Public Access) Act 2009* (GIPA Act). This document provides suggested wording for agencies to use when providing a decision to an applicant regarding an informal release request.

Informal release of information can be more efficient, flexible and timely for agencies and citizens. The effectiveness of this pathway can be enhanced through sound agency practices, recognising the safeguards for staff who release information and by linking the pathway to agency access mechanisms, in particular Agency Information Guides (AIGs).

‘Informal release’ occurs when an agency gives out information in response to a request, without requiring the person requesting it to lodge a formal access application under Part 4 of the GIPA Act.

When releasing the information, agencies:

- can decide how information is released: by phone, email, letter, fax, or in person. Information can also be released in an audio visual format, or by providing view-only access.
- can also impose conditions on the informal release of information.
- may facilitate the release of information informally by deleting any part of the information that would otherwise result in an overriding public interest consideration against disclosure.

Informal requests for information must be dealt with by agencies to facilitate and encourage promptly and at the lowest reasonable cost, access to government information.

IPC resources

The Information and Privacy Commission (IPC) has several resources to assist with agency decision-making, informally releasing information, and recordkeeping for informal release applications:

- [Fact Sheet - Informal release of information](#)
- [Fact Sheet - What is the public interest test?](#)
- [Information Access Guideline 11 - Informal Release of Information](#)
- [Checklist - Informal Access](#)
- [Template - Agency Informal Release Record](#)

For more information

Contact the Information and Privacy Commission NSW (IPC):

Freecall: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au
Website: www.ipc.nsw.gov.au

NOTE: The information in this fact sheet is to be used as a guide only. Legal advice should be sought in relation to individual circumstances.

1. Template Letter - Informal Release Acknowledgement

[Insert agency name/logo]

Addressee

Address – line 1

Address – line 2

Enquiries: Contact officer

Tel: (02)

Our ref:

Your ref:

[Date]

Dear Title – Surname

Acknowledgement of your request for informal release of information

On [date], you contacted us by [insert method] and requested that we provide you with informal access to the following information.

[insert description of Information requested]

I am writing to confirm we have received your request for informal access to information under section 8 of the *Government Information (Public Access) Act 2009* (GIPA Act). We are currently reviewing your request. Although section 8 of the GIPA Act does not provide a timeframe for processing informal requests for information, we aim to process and finalise informal requests within 20 business days from when we received your request. If you don't hear from us within this timeframe, please contact us again.

If you have any questions, please contact [name], on [number].

Yours sincerely

Name

Position

2. Template Letter - Informal Release Refusal Decision

Addressee

Address – line 1

Address – line 2

Enquiries: Contact officer

Tel: (02)

Our ref:

Your ref:

[Date]

Dear Title – Surname

Your request for informal release of information

On [date], you requested that we provide you with access to the following information.

[insert description of Information requested]

How access to information is provided

Access to information held by [insert agency name] is governed by the *Government Information (Public Access) Act 2009* (GIPA Act). In accordance with the GIPA Act your request was treated as an informal request to access information under section 8 of the GIPA Act.

I am delegated to deal with your informal request in accordance with section 8(6) of the GIPA Act.

In dealing with your informal request, I considered:

- The information you sought and whether an overriding public interest against disclosure may prevent release, or whether it contained someone else's personal information.
- Whether the imposition of reasonable conditions would assist the release of the information.
- Whether the information could be redacted to enable the information to be released.
- The resources and time that would be required to search for and retrieve the information.
- How the information could be supplied to you and whether it could be presented in a form that would provide you with access without affecting the interests of others.

Decision

SELECT OPTION AS APPROPRIATE

Following my consideration of your request I have today decided that access to the information you sought cannot be provided informally. I have decided that the information cannot be released to you informally because there are overriding public interest considerations against the disclosure of the information, including [insert those considerations e.g., personal information, legal privilege etc] that could not be overcome by:

- Redacting the information; or
- Imposing conditions or providing access in a form that would not affect the interests of others.

As this decision relates to an informal request for information it cannot be reviewed.

OR

Following my consideration of your request I have today decided that access to the information you sought cannot be provided informally. This is because the information you have requested informally [insert explanation e.g., length of time request relates to, has multiple parts over multiple years], I have come to this decision because the resources and time required to search and retrieve the information would impact the available resources of the Agency.

As this decision relates to an informal request for information it cannot be reviewed.

OR

Following my consideration of your request I have today decided that access to the information you sought cannot be provided informally. This is because the information you have requested is not held by us. We have reviewed our records management system and were not able to locate the information you requested through the search terms we used, which included [insert examples of terms used].

As this decision relates to an informal request for information it cannot be reviewed.

Other options

The GIPA Act provides other options for you to consider that may enable you to access the information you sought. You can make a formal request to access the information. The attached [hyperlink or hard copy] provides an explanation of how to lodge a formal application to obtain information.

I trust that this information is of assistance.

If you have any questions, please contact [name], on [number].

Yours sincerely

Name

Position

Encl. [TBC]

3. Template Letter – Decision to informally Release in Full

Addressee

Address – line 1

Address – line 2

Enquiries: Contact officer

Tel: (02)

Our ref:

Your ref:

[Date]

Dear Title – Surname

Your request for informal release of information

On [date], you requested that we provide you with access to the following information.

[Insert description of the Information requested]

How access to information is provided

Access to information held by [insert agency name] is governed by the *Government Information (Public Access) Act 2009* (GIPA Act). In accordance with the GIPA Act your request was treated as an informal request to access information under section 8 of the GIPA Act.

I am delegated to deal with your informal request in accordance with section 8(6) of the GIPA Act.

In dealing with your informal request, I considered:

- The information you sought and whether an overriding public interest against disclosure may prevent release or whether it contained someone else's personal information.
- Whether the imposition of reasonable conditions would assist the release of the information.
- Whether the information could be redacted to enable the information to be released.
- The resources and time that would be required to search for and retrieve the information.
- How the information could be supplied to you and whether it could be presented in a form that would provide you with access without affecting the interests of others.

Decision

Following my consideration of your request I have decided that there are no overriding public interest factors against disclosure of the information you have sought access to you and have today decided to provide the information to you in full informally. Although I have decided to provide you with the information, as this decision relates to an informal request for information, it cannot be reviewed. Details of this information is shown below:

- [Insert **Columns B and D** from [IPC Template - Agency Informal Release Record spreadsheet](#)]

The information is attached with this letter or [insert link if be provided by a link].

I trust that this information is of assistance.

If you have any questions, please contact [name], on [number].

Yours sincerely

Name

Position

Encl. [TBC]

4. Template Letter – Decision to informally Release in Part

Addressee

Address – line 1

Address – line 2

Enquiries: Contact officer

Tel: (02)

Our ref:

Your ref:

[Date]

Dear Title – Surname

Your request for informal release of information

On [date], you requested that we provide you with access to the following information.

[Insert description of the Information requested]

How access to information is provided

Access to information held by [insert agency name] is governed by the *Government Information (Public Access) Act 2009* (GIPA Act). In accordance with the GIPA Act your request was treated as an informal request to access information under section 8 of the GIPA Act.

I am delegated to deal with your informal request in accordance with section 8(6) of the GIPA Act.

In dealing with your informal request, I considered:

- The information you sought and whether an overriding public interest against disclosure may prevent release or whether it contained someone else's personal information.
- Whether the imposition of reasonable conditions would assist the release of the information.
- Whether the information could be redacted to enable the information to be released.
- The resources and time that would be required to search for and retrieve the information.
- How the information could be supplied to you and whether it could be presented in a form that would provide you with access without affecting the interests of others.

Decision

Following my consideration of your request I have identified that that there are public interest factors against disclosure of the information you have sought access to you that would prevent its full release. Those factors include [insert factors e.g., personal information, business interests] While this is the case, I have today decided that the information can be released to you in part informally. This has been possible by redacting and/or deleting the information that gives rise to a public interest consideration/s against disclosure. Section 8(5) of the GIPA Act permits me to delete or redact information from the information if inclusion of the other matter would otherwise result in there being an overriding public interest against disclosure of the information to you.

Although I have decided to provide you with the information in part, as this decision relates to an informal request for information, it cannot be reviewed. Details of this information is shown below:

- [Insert **Columns B and D** from [IPC Template - Agency Informal Release Record spreadsheet](#)]

The information [insert a description of the information released] is attached with this letter or available at [insert link if be provided by a link].

If you would like to make a formal application for the information I have refused to provide, please see the attached link describing the process to lodge a formal application: [Insert link]

I trust that this information is of assistance.

If you have any questions, please contact [name], on [number].

Yours sincerely

Name

Position

Encl. [TBC]

5. Template Letter – Decision to informally Release with conditions

Addressee

Enquiries: Contact officer

Address – line 1

Tel: (02)

Address – line 2

Our ref:

Your ref:

[Date]

Dear Title – Surname

Your request for informal release of information

On [date], you requested that we provide you with access to the following information.

[Insert description of the Information requested]

How access to information is provided

Access to information held by [insert agency name] is governed by the *Government Information (Public Access) Act 2009* (GIPA Act). In accordance with the GIPA Act your request was treated as an informal request to access information under section 8 of the GIPA Act.

I am delegated to deal with your informal request in accordance with section 8(6) of the GIPA Act.

In dealing with your informal request, I considered:

- The information you sought and whether an overriding public interest against disclosure may prevent release or whether it contained someone else's personal information.
- Whether the imposition of reasonable conditions would assist the release of the information.
- Whether the information could be redacted to enable the information to be released.
- The resources and time that would be required to search for and retrieve the information.
- How the information could be supplied to you and whether it could be presented in a form that would provide you with access without affecting the interests of others.

Decision

Following my consideration of your request, I have today decided to provide the information to you in informally. However, in releasing the information to you informally, I have decided to impose conditions on that release. Those conditions are [insert the conditions]. I have imposed those conditions which is available to me in accordance with section 8(2) of the GIPA Act because [insert explanation of the reasons for condition].

Although I have decided to provide you with the information, with conditions, as this decision relates to an informal request for information it cannot be reviewed. Details of this information is shown below:

- [Insert **Columns B, D and F** from [IPC Template - Agency Informal Release Record spreadsheet](#)]

The information [insert a description of the information released] is attached with this letter or available at [insert link if be provided by a link].

If you would like to make a formal application for the information I have provided subject to these conditions, please see the attached link describing the process to lodge a formal application. If access to information is granted under the formal release pathway conditions cannot be imposed: [Insert link]

I trust that this information is of assistance.

If you have any questions, please contact [name], on [number].

Yours faithfully

Name

Position

Encl. [TBC]