

POLICY

Information Release Policy

Purpose

We receive requests from individuals and organisations seeking access to information held by us.

This policy guides:

- how we approach requests for information
- what factors we consider before releasing information
- what people can expect when making a request

Policy Statement

We are committed to making appropriate information available where this is lawful, responsible and consistent with our statutory functions. We will only release information where disclosure is authorised by law and is consistent with our privacy, confidentiality and statutory obligations. When disclosure is legally permitted, we will consider the purpose and public benefit of the request, the risks of release and any safeguards that can be applied.

Our role and responsibilities

We collect and hold information to perform our statutory functions, including handling complaints and conducting investigations.

Not all information we hold can be disclosed. We must manage information in accordance with:

- applicable legislation, including the *Privacy and Responsible Information Sharing Act 2024* (WA) and the *Freedom of Information Act 1992* (WA)
- confidentiality obligations under our principal legislation, the *Parliamentary Commissioner Act 1971* (WA)
- our duty to protect the integrity of our work.

Scope of this policy

This policy applies to ‘third party’ requests for information we hold. ‘Third party’ request means a request from a person or organisation that was not involved in the complaint, investigation or other matter to which the requested information relates. This includes journalists and media organisations, researchers, Members of Parliament, community or advocacy organisations, and other members of the public.

This policy does not apply to requests for information that are part of our normal operational interactions with organisations within our jurisdiction. It does not apply to established or statutory information sharing arrangements.

This policy does not apply to requests from the Legislative Assembly or Legislative Council or their committees. The Ombudsman is an officer of the Parliament and responds to requests from Parliament subject to applicable laws.

Personal information

This policy does not apply to requests from individuals about their own personal information. We will handle personal information in line with our Privacy Policy and the *Privacy and Responsible Information Sharing Act 2024* (WA). People who seek access to their own personal information can contact us.

Freedom of Information (FOI) requests

We are an ‘exempt agency’ under the *Freedom of Information Act 1992* (WA) and all materials subject to our investigations are ‘exempt matter’. This means that FOI requests are outside the scope of this policy. People may contact us directly to request copies of documents they originally provided to us. They do not need to make an FOI application for these documents.

Principles we apply

When considering a request to disclose information, we apply the following principles:

- **Lawfulness** – disclosure must be authorised or required by law
- **Necessity** – we only disclose the information reasonably necessary to meet the stated purpose
- **Proportionality** – the benefits of disclosure must outweigh risks
- **Privacy and confidentiality** – personal and sensitive information must be protected
- **Public interest** – we consider whether disclosure supports a clear public benefit
- **Security safeguards** – we consider how information will be stored, used, and protected after release

What information may not be released

In many cases, we cannot disclose information, including where it:

- relates to a specific complaint or investigation
- identifies individuals (including complainants, witnesses or third parties)
- contains sensitive personal information
- could prejudice an investigation or undermine our functions
- is subject to legal or statutory restrictions

Where possible, we may instead provide:

- de-identified information
- aggregated or summary information

- publicly available material

Requests involving Aboriginal information

We take particular care when handling information about Aboriginal people, communities, or data sets.

We recognise the principles underlying Aboriginal Data Sovereignty, including that:

- information about Aboriginal people should be used respectfully and in context
- data use should support community trust, cultural safety and informed decision-making
- data should not contribute to stigma or misuse

Consistent with the *Privacy and Responsible Information Sharing Act 2024 (WA)*, we will consider whether Aboriginal people or communities should be involved in decisions about sharing information that affects them.

This may mean:

- additional review or consultation
- limiting disclosure
- providing only de-identified information or information aggregated from a larger data set.

Our approach to requests

We will assess each request for information within the scope of this policy. We will:

1. confirm that the request is within scope
2. identify whether release is legally permitted
3. assess the purpose, public benefit, risks and safeguards
4. consider whether partial, de-identified, aggregated or alternative information could be provided
5. document the assessment and proposed outcome
6. obtain authorised approval
7. communicate the decision.

Our assessment

When we assess the request, we apply the policy principles. We consider the stated purpose and public benefit. Relevant safeguards for more sensitive information may include ethics approval, secure data arrangements, confidentiality undertakings and restrictions on publication. These factors may mean that information can be released for one proposed use but not another.

Assessment outcome

Depending on the circumstances, we may recommend to:

- approve the request in full
- approve the request in part

- provide information in a different form (for example, de-identified)
- decline the request

When our assessment of the legalities and risks of disclosure indicates that the information should not be disclosed, we will consider whether alternative information may be useful instead. This may be aggregated/deidentified information or information in a different format. We will check with the person making the request before providing alternative information.

Authorisation and communication

The assessment, decision, reasons and any conditions of release must be recorded.

Release of information must have documented approval by the Ombudsman or a delegate of the Ombudsman.

Whether the request is approved, partly approved or declined will be communicated to the person who made the request.

Submitting a request

People seeking our information should contact us and provide:

- a clear description of the information they seek
- the purpose for requesting the information
- whether de-identified information would meet their needs
- any legal authority or consent relied on
- for confidential information not intended to be public, how the information will be used, stored, and protected

We should respond promptly and will clarify if further information is needed.

Policy authorisation

Policy owner	Ombudsman
Version	1.0
Date approved	7/10/2026