Australian Capital Territory

**Corrections Management (****Requesting Information and Responding to Information Requests) Operating Procedure 2021**

**Notifiable instrument NI2021-328**

made under the

**Corrections Management Act 2007, s14 (Corrections policies and operating procedures)**

**1 Name of instrument**

This instrument is the *Corrections Management* (*Requesting Information and Responding to Information Requests) Operating Procedure 2021.*

**2** **Commencement**

This instrument commences on the day after its notification day.

**3 Operating Procedure**

I make this operating procedure to facilitate the effective and efficient management of correctional services.

Ray Johnson APM

Commissioner

ACT Corrective Services

26 May 2021

|  |  |
| --- | --- |
| **OPERATING PROCEDURE** | **Requesting information and responding to information requests** |
| **OPERATING PROCEDURE NO.** | **C8** |
| **SCOPE** | **Sentence Management Unit** |

**PURPOSE**

To provide instructions to a Sentence Management Officer (SMO) on the process of how and when to request information from a stakeholder, and how to respond to information requests received from an external stakeholder, for the purpose of Sentence Management.

**PROCEDURES**

1. **Requesting information from a stakeholder**
	1. A SMO must only request information from a stakeholder when:
* Exercising a function under legislation; and
* Administering a Sentence Management Plan (SMP).
	1. When requesting information from a stakeholder, the SMO must have a:
* Purpose - The request must be in relation to a detainees SMP.
* Scope - The request must be specific to the needs of the detainee.
* Authority - The relevant authority to request the information. For example: the legislative authority or detainee consent.
	1. When requesting information from a stakeholder, a SMO must be explicit about the purpose, scope, and authority in their request.
	2. All requests for information must be made in writing (email) and recorded on the offender database as per the *Case Note Policy*.
1. **Responding to information requests from a stakeholder**
	1. A SMO must only respond to a request for information from a stakeholder when:
* Exercising a function under legislation; and
* Administering a SMP.
	1. A SMO will respond to a request for information about a detainee on their case load where the requesting stakeholder provides a:
* Purpose for the request.
* Scope of information being sought.
* Authority of lawful basis for the request and release of the information.
	1. A SMO must instruct the requesting stakeholder to provide their request in writing (email) and to include the purpose, scope, and authority.
	2. When responding to an information request from a stakeholder, a SMO must only provide information relevant to the request.
	3. Unless there is a legal impediment to release the information, the SMO will action the request.
	4. A SMO must consult with their Team Leader or Senior Director if they are unclear about the lawful basis to release information, or whether disclosure is reasonably necessary and justifiable.

# RELATED FORMS RELATED DOCUMENTS

* *Public Sector Management Act 1994*
* *Privacy Act 1988*
* *Corrections Management Act 2007*
* Case Note Policy
* Sentence Management Plan Operating Procedure
* Detainee Consent to Release and Obtain Information Form

Narelle Pamplin
Executive Branch Manager, Offender Reintegration

ACT Corrective Services
6 May 2021

## Document details

| Criteria | Details |
| --- | --- |
| Document title: | Requesting Information and Responding to Information Requests Operating Procedure 2021 |
| Document owner/approver: | Executive Branch Manager, Offender Reintegration |
| Date effective: | The day after the approval date |
| Review date: | 3 years after the approval date |
| Responsible Officer: | Senior Director, Sentence Management |
| Compliance: | This operating procedure reflects the requirements of the *Corrections Management (Policy Framework) Policy 2020* |

|  |
| --- |
| Version Control  |
| Version no.  | Date  | Description | Author |
| V0.1 | December 20 | First Issued | T Graham |