

Agency Information Guide 2023

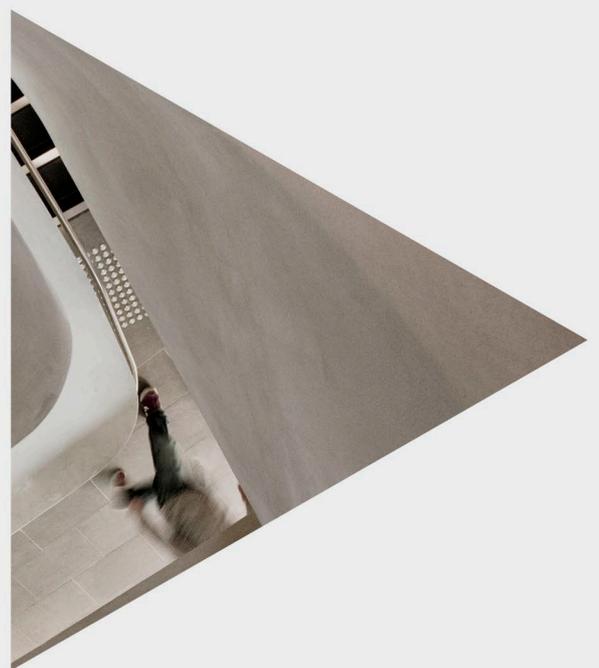
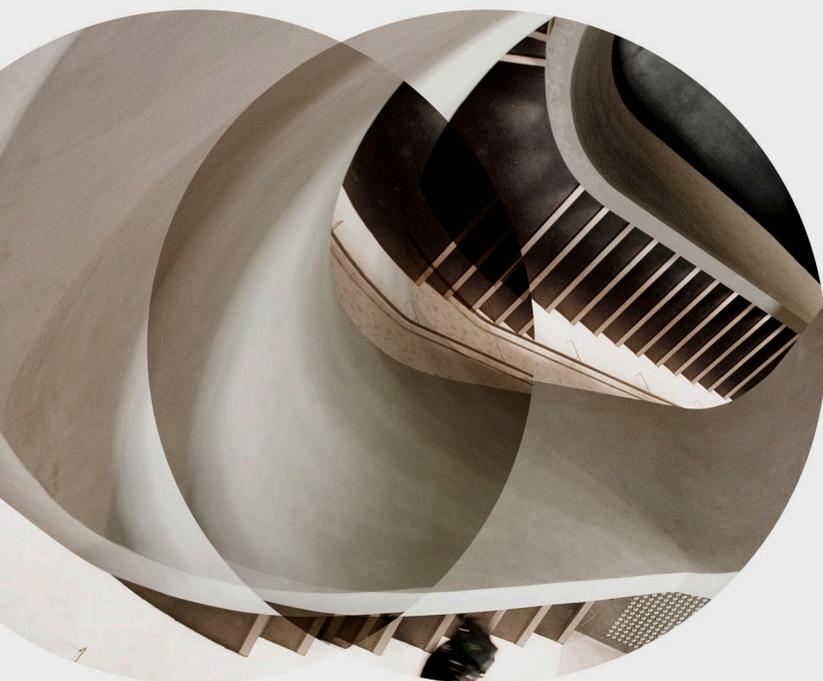


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The UTS Agency Information Guide has been issued in accordance with section 20 of the *Government Information (Public Access) Act 2009* (NSW) (GIPA Act).

Produced by the Governance Support Unit, Division of the Vice-Chancellor.

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About UTS

UTS is the top-ranked young university in Australia. One of Australia's leading universities of technology, UTS has a distinct model of learning, strong research performance and connections with industry, business and government.

Find out more at [About UTS](#).

Functions of UTS

The [University of Technology Sydney Act 1989 \(NSW\)](#) (UTS Act) outlines UTS's objectives and functions ([section 6](#)), as well as constitutional matters such as the membership and role of Council, the university's governing body.

UTS's purpose is to advance knowledge and learning through research-inspired teaching, research with impact of benefit to society, and partnerships with industry, government and the community.

Structure of UTS

The role of the Vice-Chancellor and the university leadership team is to provide effective operational management of the university in support of the [UTS 2027 strategy](#).

Find out more at [University Leadership Team](#) and the [UTS organisational structure](#).

Faculties and schools

UTS conducts its teaching and research programs through nine faculties and schools.

Find out more at [Faculties: Overview](#).

Controlled entities

UTS has two controlled entities under [section 16A](#) of the UTS Act.

Find out more at [Controlled entities](#).

How UTS engages with the public

As a public institution, UTS's activities and functions have an impact on the community. In particular, UTS engages with its students, staff, alumni, lifelong learners, partners and visitors.

Teaching and research

UTS serves the community primarily through its teaching and research.

Through its teaching, UTS produces work-ready graduates. We offer global practice-oriented learning with a strong emphasis on workplace experience and internships. We have a range of partnerships with industry, business, government and the community.

Our researchers, academics and students work with industry to solve society's pressing problems. UTS research is cross-disciplinary, innovative and collaborative with a focus on delivering a real benefit to society.

Find out more at [Research and teaching](#).

Community, industry and government engagement

Students and staff interact with the community through industry-funded scholarships and sponsorship of UTS events and programs, guest lectures, global exchange, schools-based programs, alumni networks and graduate recruitment.

Our students have direct contact with the public through internships with industry and business. This enables students to develop skills and attributes of relevance and value to their chosen professions and to the community.

We engage with industry through our research. Our researchers work closely with industry partners to create solutions with a positive social impact.

UTS also works in partnership with the New South Wales Government and industry to enhance the local area and provide opportunities for engagement, entrepreneurship and development.

UTS's [Centre for Social Justice and Inclusion](#) is a gateway for partners and communities to engage with the university's resources and expertise to maximise social impact.

Find out more at [Partners and community](#).

Public participation in UTS decision-making

UTS works closely with its stakeholders and the wider community to improve services and outcomes. We also seek public participation in decision-making around our functions and activities.

Members of the public may attend UTS open days and various cultural and educational events and exhibitions. UTS also hosts public talks and events for the university and the wider community to share and discuss ideas.

UTS committees and boards

Staff and students can participate in policy decisions through UTS's boards and committees.

Find out more at [Committees at UTS](#).

UTS also operates a range of industry advisory groups, including the Vice-Chancellor's Industry Advisory Board, and several others at the faculty level. These advisory groups allow for input from industry into faculty and university decision-making in its teaching, research and engagement.

UTS's [Vice-Chancellor's Indigenous Advisory Committee](#) provides a source of consultation and advice on Indigenous education, employment and social and cultural matters. Committee membership is predominantly made up of external Indigenous community leaders and specialists.

Staff and students can also provide feedback to the university through staff forums and surveys, which may influence university decision-making.

UTS Council

As the governing body of the university, Council has the powers and functions conferred or imposed on it by the UTS Act. Council may act in all matters in a manner that will best promote the object and interests of the university.

Community interests are represented on the university's 20-member Council through its members appointed from the professions, industry, business and the wider community. Council also includes elected staff and student members.

Council is advised by its committees. Committee membership includes Council and non-Council members with relevant expertise and background.

Find out more at [UTS Council](#).

Academic Board

The Academic Board, which is constituted under [section 15](#) of the UTS Act and [Rule G3, Division 1](#) of the UTS General Rules, is the principal advisory body to the Council on academic matters.

The board plays a key role in the UTS community in providing a forum for the discussion and debate of the academic directions of the university as well as the quality of its academic programs.

Academic Board comprises ex officio, elected academic staff and student members.

Find out more at [Academic Board](#).

UTS rules and policies

UTS policies are high-level statements that guide university decision-making. There is the opportunity for participation and feedback in policy development. The UTS Council is the approval authority for many university-level policies.

Find out more at [Policies](#).

The UTS Rules apply to all students, staff, affiliates and visitors to the university and detail the mandatory functions, actions, responsibilities and obligations for the UTS community. The UTS Council is responsible for approving all university rules.

Find out more at [Rules](#).

Open access and data

UTS supports the principles of open access as part of its strategy of producing high-quality research and education with community and global impact. Data at UTS is governed by the [Data Governance Policy](#), the [Information Security Policy](#), the [Records Management Policy](#), the [Privacy Policy](#), the [Open Access Policy](#), the [Research Policy](#) and the [Research Data Management Procedure](#).

UTS 2027 strategy

The [UTS 2027 strategy](#) was developed in collaboration with the wider community, including the opportunity for public participation. Staff, students, alumni and industry partners were asked to contribute to the formation of the strategy. This allowed UTS to create a strategy that reflected the perspectives and priorities of the wider UTS community.

How to access UTS information

Under the GIPA Act, information held by UTS can be accessed in four ways:

- open access
- proactive release
- informal release
- access application.

Find out more at [Right to information](#).

Open access

Information identified as open access information is publicly available and free of charge, primarily through the [UTS website](#). See also [open access information](#).

UTS is obliged to make the following information publicly available:

- [UTS agency information guide](#)
- [disclosure log](#)
- documents about UTS tabled in the NSW Parliament: the [UTS Annual Report](#)
- [policies](#)
- [register of contracts](#)
- [register of undisclosed open access information](#).

Contact the Right to Information Contact Officer to ask about open access information (page 9).

Information that may require a charge

There may be a charge to access some information, including:

- hard copy authoritative versions of formal academic records (for the individual the record relates to)
- copies of records held in UTS archives that are open to public access under the Register of Access Directions issued under the State Records Act 1998 (NSW). Find out more at [Records and archives](#).

Formal access applications require payment of a \$30 application fee. Additional processing charges may also be applied (see page 7).

Proactive release

In addition to UTS's open access information, UTS must also consider what other types of information should be proactively released. UTS proactively releases a wide range of information on its public website, including:

- [UTS 2027 strategy](#)
- [our research](#)
- [UTS Library](#)
- [rules](#)
- [official publications](#)
- [alumni and giving](#)
- agenda and papers for [Academic Board](#).

Each business unit is responsible for their content. Decisions will be made by each area to release information relating to their activities on an ongoing basis. In addition, the Right to Information Coordinator

will consider the proactive release of information on an at least annual basis, and, where warranted, under delegation from the Vice-Chancellor. This includes an annual assessment of any trends in access applications or informal requests that may indicate information should be proactively released.

Some university publications, and data about the higher education sector more broadly, can also be found at data.nsw.gov.au, which is an open data initiative that provides safe access to data sets from various NSW public sector agencies and industry.

Contact the Right to Information Contact Officer to ask about proactive release information (page 9).

Informal release

UTS routinely provides information on request where there is no overriding public interest against disclosure. UTS may attach conditions to the use or disclosure of information that is released under an informal request.

This may include requests by an individual for access to their own information, so long as there is no overriding public interest against disclosure, such as breaching someone else's privacy (see also access to your own personal information below).

Contact the Right to Information Coordinator if the information you are seeking is not available on the UTS website (page 9).

Access application

Applying for access

If information is not publicly available, or available through an informal release, a formal access application will be required. An access application must:

- be in writing and state that it is made under the GIPA Act
- include the \$30 application fee
- provide enough detail to enable UTS to identify the information requested, and
- include either a postal address or an email address (the latter being the preferred method of communication).

Find out more at [Applying for access to information](#) or contact the Right to Information Contact Officer for further information (page 9).

Processing charges

In addition to the application fee, there may be a processing charge payable of \$30 an hour (if you are requesting access to your own personal information the first 20 hours of processing is not charged). You will be advised of any costs if processing charges are applied. A possible reduction of 50% may apply if you can prove financial hardship or where UTS is satisfied the information applied for is of special benefit to the public generally.

Timelines

UTS will acknowledge receipt of the access application in writing within five working days of receipt. The university will decide whether access will be provided within 20 working days of receipt of a valid application.

A deadline for processing an application may be extended by 10 working days to allow for consultation or to retrieve records from archives. If both actions are required, an application may be extended by 15 working days.

An application may also be extended by mutual agreement between the university and the applicant. This may be required in some cases.

You will be advised as soon as possible in a notice of decision of the outcome and will be given reasons if access is denied, partially provided or deferred.

Consultation and affected third parties

In some cases UTS may need to consult with affected third parties before making a decision on whether information will be released. Third parties may be consulted on the grounds that the information concerns:

- their personal, business, commercial, professional or financial interests, or
- research that has been, is being, or is intended to be, carried out by or on behalf of the person, or
- the affairs of the Commonwealth or a state government (and the consulted party is that government).

The views of consulted third parties are taken into account when deciding whether information will be released. If a decision is made to release information, but a consulted third party had objected, UTS will not be able to release the information until the third party has had their opportunity to have the decision reviewed.

Review rights

You may apply for an internal review of any reviewable decision made on your access application.

An application for internal review must:

- be made within 20 working days of the notice of decision or the date the decision was communicated
- be in writing
- include the \$40 application fee, and
- identify the decision being appealed and the relevant access application.

Find out more, including when a decision is reviewable, and relevant contact details for internal and external review requests, at [Applying for a review of a decision](#).

Review rights for an original applicant

If you're the original applicant you have a right to request an internal review of a reviewable decision. Alternatively, you also have the right to request an external review by the NSW Information Commissioner and/or the NSW Civil and Administrative Tribunal without going through an internal review process first. Applications to these external bodies must be made within 40 working days of when the decision was communicated to you. This will usually be the date on the Notice of Decision.

If you have requested an internal review, you will still have the opportunity to request an external review once the outcome of the internal review is communicated to you if you are still not satisfied with the outcome. You will have 20 working days after you are advised of the outcome of your internal review to request an external review by the NSW Information Commissioner and/or the NSW Civil and Administrative Tribunal.

Review rights of a consulted third party

A consulted third party has the same right to request an internal review of a reviewable decision if they are aggrieved by the decision, for example, if UTS decides to release information despite a consulted third party's objection. A consulted third party is required to request an internal review before they can exercise their rights of external review by the NSW Information Commissioner and/or the NSW Civil and Administrative Tribunal.

Access to personal information

UTS manages the personal information and health information of its students and staff in accordance with the *Privacy and Personal Information Protection Act 1998* (NSW) and the *Health Records and Information Privacy Act 2002* (NSW). Legislation in other jurisdictions may apply in certain limited capacity and will be considered on a case-by-case basis.

In most cases, UTS will grant access to your own personal or health information where held, under the respective access rights in the relevant privacy legislation.

Find out more at [Accessing your information](#).

Information held by the university

We hold a range of information in relation to our various functions, including records of our teaching and research functions and associated governance and administrative activities. The records include:

- Review and approvals for courses of study and curricula
- Staff appointments and management
- Student admission and progression, convocation and alumni engagement
- Course delivery, including examination and assessment
- Quality assurance and planning
- Fellowships and scholarships
- Donations
- Research administration and data
- Student and staff support
- Operation of faculties and business units
- Governance, policies, strategies and planning
- University infrastructure and finance management
- Community engagement
- Engagement with regulators, various government and finding bodies

Further details on the types of personal information held is available in our [Privacy Management Plan](#) (PDF, 827 kb).

Some of this information can be accessed online at www.uts.edu.au, or via other access avenues referred to in this section.

Feedback and questions

Contacts

The Right to Information Contact Officer:

- responds to general questions and inquiries and provides education and awareness to university staff on their GIPA obligations
- provides assistance and advice to applicants in making an application to access information and review rights
- facilitates the processing of access applications
- manages the university's register of contracts under the GIPA Act.

The Right to Information Coordinator:

- makes decisions regarding applications to access information
- makes decisions regarding authorised proactive release of information
- ensures that UTS meets its obligations regarding reporting under the GIPA Act.

Up to date contact details can be found at [Right to information contacts](#).

Further information

Further information is available at [Right to information](#).

The public's rights, UTS's responsibilities and the role of the Information Commissioner under the GIPA Act

The [Government Information \(Public Access\) Act 2009 \(NSW\)](#) (GIPA Act) provides for the public to have right of access to government information. Government information is defined in the GIPA Act as meaning 'information contained in a record held by an agency'. Information is considered to be 'held' by UTS where:

- it is contained in a record held by UTS or a private sector entity to which UTS has an immediate right of access, or
- it is contained in a record that is in the possession, or under the control, of a person in their capacity as an officer or member of staff of UTS.

Under the GIPA Act, UTS has a responsibility to make certain types of information publicly available (outlined on page 6).

Information Commissioner

You can complain to the Information Commissioner about UTS's conduct (including action or inaction) in the exercise of functions under the GIPA Act, including conduct that is alleged by the person to constitute a contravention of the GIPA Act.

You can lodge a complaint by:

- post: GPO Box 7011, Sydney NSW 2001
- fax: +61 2 6446 9518
- email: ipcinfo@ipc.nsw.gov.au
- in person: Level 15, McKell Building, 2-24 Rawson Place, Haymarket NSW 2000

The Information Commissioner may decide to investigate, not to continue to investigate, or not investigate a complaint.

More information regarding complaints is available from [Information and Privacy Commission NSW](#).

Changes made to this version

- Improved information in relation to requests for review of an access application decision under the GIPA Act (page 8)
- Streamlined information by directing users to the UTS website (also ensuring accuracy and currency of information and an authoritative source)
- Added additional content based on IPC feedback relating to open data initiatives and what types of information we hold.

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