

Information Statement

Public Authority: Disability Advisory Council

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Introduction to Your Rights under Public Access to Information

This document is the Information statement for the Disability Advisory Council (hereafter the Council). In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority, and a right to amend their personal information held by a public authority if it is incorrect or misleading. However, several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. All exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [for more information see sections 21 to 40, PATI Act].

How to make a request

Requests for information, or to amend your personal information, must be made using the application form, and submitted in person to the Ministry Information Officer. See Section G for how to make a request including the documents needed, record specificity, contact information and process timelines.

Key, including definitions

- Council means Disability Advisory Council
- ADS means the Ageing and Disability Services, formerly the National Office for Seniors and the Physically Challenged (NOSPC)
- PATI means Public Access To Information
- [] Square brackets, refer to sections of the PATI Act, unless another Act is indicated

Section A: Structure, Organization and Governing Legislation [s5(1)a]

Insert Governing Legislation:

There is no governing legislation for the Council. The Council is advisory and has a mandate of overseeing the implementation of the *National Policy on Disability* (see Section (C) for more information).

Insert structure of Authority (a chart – if helpful, and some explanatory text):

The Council is an advisory body which reports to the Minister responsible for Health by way of the Permanent Secretary of Health.

The Council consists of minimum of nine (9) members, inclusive of the Chairman plus two (2) Technical Officers serving in an *ex officio* capacity. The members are people with disabilities, professionals, stakeholders and other interested parties.

Please see the Government website for the list of current members at <https://www.gov.bm/government-boards-and-committees>; then select current Boards and Committees and then search for the Disability Advisory Council.

Section B1: Legislated Functions, Powers and Duties of the Authority [s5(1)b]

Insert power, duties and functions of the Authority (cite Act or Policy):

The Council has no legislated functions, powers or duties. The Council is advisory and has a mandate of overseeing the implementation of the *National Policy on Disability*. See section C, Services and Programmes, for information on the functions of the Council.

Section B2: Obligations under PATI Act [s5(1)b]

(same for all public authorities)

Obligations of the Authority under the PATI Act

1. To provide an **information statement** for the public and promulgate it [s5],
2. To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
 - a. General information, e.g. activities of the Authority
 - b. Log of all information requests and their outcome
 - c. Quarterly expenditure (upon request) [s6(5)]
 - d. Contracts valued at \$50,000 or more.
3. To **respond to information requests** in a timely manner [s12-16]
4. To **track information requests**, and provide this data to the Info Commissioner [s5(8)3]
5. To respond to requests from the Information Commissioner [s9]
6. To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]

7. To conduct an **internal review** if formally requested [part 5]
8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
9. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58(3)].
10. **To do anything else as prescribed** under the PATI Act and Regulations [s59, 60], including:
 - a. **Managing Fees** for Requests for information
 - b. Management and maintenance of **records**
 - c. **Following procedures** for administering the Act
11. To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
12. To **designate an officer** to be the person to whom requests are directed [s62]

Section C: Services and Programmes provided [s5(1)c]

Insert a summary of services and programmes provided by the authority:

Services and Programmes are not applicable, but please see the functions listed in section B

Functions of Council according to Terms of Reference, 2011

The Council is advisory and has a mandate of overseeing the implementation of the *National Policy on Disability*. The Council serves in an advisory capacity to the Government on emerging disability related issues and best practice protocols. The Council ensures that people with disabilities and their advocates are routinely included on boards, councils and other bodies that influence the governance of our community.

The Council monitors the implementation of the *National Policy on Disabilities* and moves its objectives forward, through the following :

1. Conducts research on issues and topics assigned by the Ministry and makes recommendations which support accountability and informed decision-making.
2. Reviews and proposes amendments or new legislation to Bermuda's Public Acts and Statutory instruments with respect to the principle of "Inclusion for All".
3. Advises the Government on existing and emerging disability-related issues and the best practice protocols.
4. Advocates for the inclusion of people with disabilities and their advocates on boards, councils and other bodies that influence the governance of our community.
5. Periodically reviews and compares legislation from other jurisdictions to establish their applicability to Bermuda.

Section D: Records held [s5(1)d]

List and describe the classes of records held by the authority:

The following records in respect of this public authority are held:

1. *National Policy on Disability*. National Office for Seniors and the Physically Challenged (2006). National Accessibility Advisory Council. (public access). Outlines guiding principles

and recommended policy objectives in the areas of access, communication, education, training, health, housing, and transportation

2. *Meeting minutes of the Council.* (last 7 years). Disability Advisory Council. (Public Access). Available from the ADS Office, Ministry for Health.
3. *Annual Report of the Council.* (last 7 years). Disability Advisory Council. (Public Access). Available from the ADS Office, Ministry for Health.

Section E: Administration manuals [s5(1)e]

Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:

1. *Terms of Reference for the Council* (2011). National Accessibility Advisory Council. [public access]. Describes the mandate and procedures of the Council according to the Act, plus more quotidian detail: voting, minutes, annual reports, etc. Intended for use by members of the Council.

Section F: Decision-making documents [s5(1)f]

Insert list and description of all policies and guidelines for decision making in respect to any person. Note "person" includes any company or association or body of persons, whether corporate or unincorporate; [Interpretation Act, 1951]

There are no decision making documents – the Council is advisory

Section G: How to Contact the Information officer and Make a Request [s5(1)g and (h)]

Insert name and contact information:

How to make a request for information, or to amend your personal information

Requests must be made using the application form and submitted in person to the Information Officer. You must also provide Government-issued identification to prove that you are a Bermudian or a resident of Bermuda, such as a passport or Bermuda driver's license. The process and application form are located at: <https://www.gov.bm/online-services/make-pati-request>

A request must identify the record, the subject and time period. Requests should specify the manner in which access is preferred, for example by inspection or by copy. There is a fee charged for reproducing materials (see list of fees on the PATI website at: <https://www.gov.bm/pati-service-fees>).

Your request will be acknowledged within 5 days. The Public Authority has 6 weeks to make a decision regarding the request. Access to the record may be provided in full, in part or denied. If you are not satisfied with the outcome you may appeal the decision via several mechanisms: an Internal Review by the head of the Authority, an External Review by the Information Commissioner, and a Judicial Review in the Supreme Court. These processes are described on the PATI website (<https://www.gov.bm/public-access-information-pati>).

Contact

PATI Information Officer,
Ms. Shauna Sylvester
c/o Ms. Paulette Richardson
Ministry of Health and Seniors
Re: Disability Advisory Council

Hand deliver to	Continental Building, 25 Church Street, Hamilton HM 12
Mail*	P.O. Box HM 380, Hamilton HM BX, Bermuda
Email*	prichardson@gov.bm Add subject line: PATI request re Disability Advisory Council
Tel	278-4906

* Note requests for information will only be accepted for submissions made in-person so as to verify the requestor's identity.

Section H: Further Information [s5(1)h]

Insert any other information that you think might be useful for the public to know, so as to decrease requests for information [s6]:

- Fees and Remuneration:** The fees for services and the remuneration of board members for service is governed by the following legislation, respectively:
 - Government Fees Act, 1965; and the Government Fees Regulations, 1976. The Act governs the charging of fees to applicants for services. The Regulations lists the fees for the services.
 - Government Authorities (Fees) Act, 1971. The Act governs the remuneration of body members for services. In brief: the Chair receives \$100, and other members receive \$50, per meeting. Public Officers receive no monies.
- The **legislation** listed in this document may be found at Bermuda Laws Online www.bermudalaws.bm.

Section I: Other Information As Prescribed [s5(1)i]?

At Aug 2016 the Regulations do not specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:

- Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
- Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)]. Note for this authority, there is no power to enter into any contracts.
- Expenditure:** Quarterly expenditure will be provided upon request. Other than remuneration to members for attending meetings, as described in section H above, the Authority has no expenses.
- Salaries:** The Minister responsible for PATI shall publish a list of title and salary range of every post of public officers [s6(6)].

Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times at [s5(2-5), PATI Act]:

Locations of Information Statement (Confirm copies of Information Statement are available at):

- Office: Ministry Headquarters, Continental Bldg, 25 Church St., Hamilton Y
- The Bermuda National Library Y

- The Bermuda Archives Y
- Available electronically at:
 - PATI website <https://www.gov.bm/public-access-information-pati> Y
 - Authority's website – there is no website for the authority n/a
- With the Information Commissioner. Y

Have you published a notice in the Gazette indicating the places where the information statement is available for the public? Y

Date Information Statement was updated:

Date: 1st November 2016

Sign:



Name:

Tinee Furbert

Post:

Chair, Disability Advisory Council

(Subject matter expert: Ms. Amanda Marshall)

Ends