

Year in Review

The 2020/21 Report identified a range of priority actions for the IPC and agencies. The outcomes of the IPC actions identified in that Report, as they are aligned with the information access pathways, are outlined below.

Mandatory proactive release

The 2020/21 Report identified that there were opportunities to enhance regulatory guidance and compliance with mandatory proactive release obligations, particularly for open access information requirements prescribed in Part 3, Clause 6 of the GIPA Regulation.

Action	Outcome
Promote the IPC's resources for agencies on mandatory proactive release requirements, including through the Essential Guidance Toolkit, e-learning modules and seek to develop agency maturity around the use of the Agency Self-assessment Tool.	The IPC has undertaken a review of its self-assessment tools informed by agencies. A refresh of the self-assessment tools informed by the feedback is underway. The IPC updated the Essential Guidance Toolkits for agencies and local government.
Promote compliance with Council sector-specific Open Access requirements under the GIPA Regulation as set out in the IPC's Checklist – Open Access requirements under the GIPA Act and GIPA Regulation – agency requirements.	The IPC developed and released an animation in relation to Guideline 1 and promoted this directly to local government and via targeted social media. It was also included in an Office of Local Government (OLG) circular. In July 2021, the IPC released Local Government Sector – GIPA Compliance Report Disclosure of Information (return disclosing the interest of councillors and designated persons). This report identified low levels of compliance and made recommendations to improve compliance by Local Councils.
Commit to a compliance program to better understand and address the low levels of compliance with Government Department additional access requirements for proactive release.	An audit of Government Departments is underway to inform understanding of the compliance levels and make recommendations regarding compliance with these mandatory open access requirements.

Authorised proactive release

A priority for the IPC continues to be the promotion of the GIPA Act's 'push' model of information release, including authorised proactive release.

Action	Outcome
Promote awareness of information access requirements in all projects involving the increase in information holdings by agencies.	In providing advice to agencies seeking funding for digital projects through the Digital Restart Fund, the IPC promotes awareness of information access requirements. The IPC developed an animation on e-Governance and Digital Government.

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Authorised proactive release (continued)

Action	Outcome
Promote compliance with the requirement to publish information regarding the exercise of functions by agencies (sections 20 and 21 of the GIPA Act).	These provisions set out the requirements for an agency's Agency Information Guide (AIG). In the reporting period the IPC commenced two audits of new agencies to measure and promote compliance with these fundamental requirements. Additionally, in providing advice to agencies seeking funding for digital projects through the Digital Restart Fund, the IPC promotes the need to update agency information guides to reflect its information holdings.
Promote awareness of information access requirements in all projects involving the increase in information holdings by agencies.	In providing advice to agencies seeking funding for digital projects through the Digital Restart Fund, the IPC promotes awareness of information access requirements. The IPC developed an animation on e-Governance and Digital Government.

Informal release

The GIPA Act authorises agencies to release government information in response to an informal request by an individual unless there is an overriding public interest against disclosure of the information.

Action	Outcome
Undertake scoping and research with public sector agencies on the use of the informal access pathway to better understand and, where appropriate, promote its use.	The IPC engaged UNSW to partner with in research on informal access pathways in conjunction with a review of selected agencies practices. The research is underway.

Formal access applications

The GIPA Act provides citizens with an enforceable right to apply for, and access, government information unless there is an overriding public interest against disclosure.

Action	Outcome
Develop enhanced guidance on retrieving digital records from archives and conducting searches.	The IPC reviewed and updated IPC guidance on digital records with reference to relevant case law. The IPC developed and published guidance on Microsoft platforms and searches.
Review and revise Information Access Guideline 2 – Discounting Charges and Information Access Guideline 4 – Personal information as a public interest consideration under the GIPA Act.	The revised Information Access Guideline 4 was published in May 2022. The review of Information Access Guideline 2 is underway.
Review and revise IPC guidance Fact Sheet – What is the public interest test?	The revised Fact Sheet was published in August 2022.