



AUDIT AND RISK COMMITTEE MINUTES

Date:	Thursday, 27 March 2025	Meeting Number: 68
Location:	Information & Privacy Commission NSW McKell L15-IPC-M04-14 (IPC Meeting Room) Level 15, McKell Building 2-24 Rawson Place Haymarket NSW 2000 (Microsoft Teams)	
Time:	10:00-12:00	
Members:	Ms Marcia Doheny (Chairperson) (MD) Ms Sally Pearce (SP) Mr Peter Scarlett (PS)	
In attendance:	Mr Chris Clayton, Information & Privacy Commission (CC) Ms Sonia Minuttillo, Information & Privacy Commission (SM) Mr Ian Naylor, Information & Privacy Commission (IN) Ms Carla Wilson, Information & Privacy Commission (CW) Ms Yasmine Salameh, Information & Privacy Commission (YS) (for finance discussion) Ms Yas Wickramasekera, O'Connor Marsden (YW) Mr David Daniels, Audit Office (DD) Ms Judy Malpas, O'Connor Marsden (JM) Ms Jacqueline Ching (Financial Controller), Department of Customer Service (JC) (for finance discussion) Ms San Chander, Director Program Governance, DCS Identity (SC) (for DIVC presentation) Ms Kim Hunter, Director Policy and Legislation, DCS Identity (KH) (for DIVC presentation) Ms Lili Zhang, Business Information Security Officer, DCS CISO (LZ) (for agency planning and reporting discussion) Ms Nicola Ryeland, Information & Privacy Commission (NR)	
Minutes:	Nicola Ryeland, Information & Privacy Commission (NR)	
Apologies:	Mr Hong Wee Soh, Audit Office (HWS) Mr Michael Tzimoulas, Department of Customer Service (MT) (for finance discussion) Ms Rachel Jhinku, Information & Privacy Commission (RJ)	

ITEM

1. Chair Welcome

The Chair opened the meeting at 10.05am and provided a Welcome to Country.

2. Attendance

Apologies were received from Hong Wee Soh, Michael Tzimoulas and Rachel Jhinku.

3. A. Declarations of Interest

Nil.

B. Disclosures

Sally Pearce disclosed that she has been appointed to the Audit & Risk Improvement Committee of Campbelltown City Council.

4. A. Minutes of previous meeting of 5 December 2024

The Committee had no comments or questions. The Minutes of Meeting from 5 December 2024 were endorsed by the Committee and confirmed for publishing.

B. Rolling Action Report

The Committee took the paper as read and noted the progression.

In relation to action item 67.02, SM advised that IPC had reached out to Treasury and is awaiting engagement, the Committee noted the action item has commenced.

5. CEO Report Briefing

The paper was taken as read.

A. Update from the CEO/Information Commissioner

Draft Regulatory Priorities

The A/CEO/Information Commissioner drew attention to the draft regulatory priorities that have been published to the website and circulated to key stakeholders for targeted and general consultation. IPC is looking forward to feedback from stakeholders and the public.

The Committee sought to clarify the nature of the Regulatory Priorities.

CC responded the approach is to fulfil IPC's responsibilities and functions under current legislation, recognising that there is a wide remit on regulatory priorities, identifying areas for uplift by agencies and sectors, with a focus on using all the tools in the regulatory toolkit.

SM noted the draft regulatory priorities have been currently drafted to allow flexibility and tailoring to application for the different sectors oversighted by the IPC.

Appearance before the Joint Parliamentary Committee

The Chair inquired how the appearance at the Parliamentary Committee went on 21 March 2025.

CC stated that it was successful, with the Committee engaged in a range of areas, including data breaches, funding and the parliamentary inquiry into artificial intelligence.

CC waiting for the draft transcript for review and for any questions on notice. On the day there were no questions on notice taken.

Review of Information Access legislation

CC advised that IPC is engaging with stakeholders to progress possible legislative amendments. As the GIPA Act turns 15 years in July 2025, IPC is looking into opportunities for legislative amendments and/or updates.

B. Update from the Privacy Commissioner

The paper was taken as read.

Mandatory Notification of Data Breach Scheme (MNDB)

SM stated that there has been a steady flow of breaches and some Agencies and one University have been compromised. There is ongoing engagement with agencies and further investigation may be necessary for the University as it is their fourth breach in 12 months.

SM noted that Privacy Awareness Week has been rescheduled to June instead of May due to Federal election taking place.

Appearances before Joint Parliamentary Committees

SM mentioned attendance at the Joint Parliamentary Committee on Electoral Matters, noting the committee were interested in participation in elections, and cyber security related matters. Engagement with people with disabilities was raised as an issue and there was discussion of how best this should occur.

The Chair mentioned the Electoral Commission and the breach that took place. SM responded stating that the breach occurred due to human error. SM said it is a reminder that there is no system that is foolproof, and human error is the most common cause of breaches and that agencies need to invest in training their people no matter what systems are in place.

C. Presentation by Identity NSW re Digital Identity and Verifiable Credentials system (DIVC)

San Chander and Kim Hunter provided a presentation on the DIVC Scheme.

The presentation highlighted the spike in data privacy and security threats. The future program addresses those threats, noting that there are economic benefits with the implementation of the DIVC and that it will be applied in a safe and secure way at the same time protecting privacy.

There was a general discussion around national credentials and a uniformed national program.

The presentation also detailed the process for drafting legislation for the Scheme including the role IPC would have in regulating the Scheme.

A joint budget submission has been made to Treasury for funding over the next two financial years to implement the Scheme.

The Chair thanked San and Kim for their presentation.

Action: That the presentation be distributed to the Committee.

Finance joined meeting at 10.51am

6. Finance Briefing

A. Financial Dashboard (February 2025)

The Committee welcomed JC to the meeting and was introduced to the Committee members.

The paper was taken as read and noted.

B. Compliance with Treasury Policy on CFO Certification on Internal Controls over Financial Information (TPG24-08)

IN summarised the activities IPC plans to undertake to meet the requirements of the Policy, noting that DCS provide most of the financial information and systems to IPC.

JC advised that DCS will review their Internal Control Framework during early close and report any findings to IPC.

IN will provide regular reports to the Committee on the Internal Control Framework.

Action: Add Internal Control Framework as a standing item to Paper 6.

The Committee queried whether the IPC is confident in the assurances to be given by DCS over internal controls.

IN responded that the independent assurance reports provide an independent review of internal controls over the financial information and financial systems, and this gives IPC confidence in the certification process. Over the last two financial years the reports have not highlighted any major deficiencies.

Finance left the meeting at 11.05am.

7. External Audit Briefing

The paper was taken as read.

A. IPC Annual Engagement Plan (AEP)

The Committee queried what impact climate change reporting would have on the IPC.

IN advised that IPC is in phase 3 of the implementation process for climate change reporting and can review the approach of other agencies in phase 1 and 2. Reporting on climate change for the IPC will rely on data from DCS as IPC has limited exposure.

DD noted all that is needed at this point is the Risk Assessment process which IPC has completed.

8. Agency Planning and Reporting Briefing

A. Monthly IPC Case File Dashboard (February 2025)

The Committee noted that there appeared to be a deterioration in some of the KPIs.

IN advised that during the first two months of 2025 IPC onboarded several new staff and this has impacted some of the KPIs but an improvement in KPIs is expected in the coming months.

SM commented that the deterioration of KPIs can be a consequence of staff movement, staff building up their capabilities and confidence, to finalise cases.

CC noted he has approved overtime to help close additional cases.

B. Quarterly Report to the Attorney General & Minister Dib – Quarter 2, October 2024 to December 2024

The paper was taken as read and noted.

C. Cyber Security

Lili Zhang (LZ) from DCS (IPC's CISO) attended and took the Committee through the report provided.

The Chair noted the excellent presentation that LZ had provided.

D. Auditor-General Report on the Internal Controls & Governance – IPC impacts

The paper was taken as read and noted by the Committee.

9. Internal Audit Briefing

The papers were taken as read and noted.

A. IPC Audit Management Action Register

Read and noted.

D. Annual Internal Audit Plan FY2024 – 2025

Read and noted.

E. Internal Audit Report – IPC Leave Calculations

Read and noted.

10. Risk Management Briefing

The paper was taken as read.

A. IPC Enterprise Risk Register 2024-2028

CC discussed the bimonthly leadership monthly meeting where there is discussion around risks, any additions, or changes to risk profiles, reflected in attachment 10.

The Committee asked how the return to the office arrangements is going, and what is currently in place.

CC responded the current requirement is a minimum 2 days per week in the office for all

staff, with an All Staff anchor day on a Tuesday that has proven to work well. If there is further staff growth consideration will need to be given to desk arrangements. The current requirement is to be reviewed within 6 months, having regard to the Premier's Department Circular.

11. Review of ARC Charter Annual Calendar Briefing

The papers were taken as read and noted by the Committee.

Other business

CC thanked the Chair for her membership of the Committee since 2019 and wished her the best for future appointments. The Chair expressed her thanks to the Committee and IPC for their contributions and noted that she had enjoyed her time on the Committee over the past 6 years.

CC noted that PS has accepted the role as Chair, and another member is being sought.

The Meeting closed at 11.54AM

Next Meeting: Thursday 10 July 2025

Schedule for 2025

- Thursday, 18 September 2025 (10:00-12:00)
- Thursday, 4 December 2025 (10:00-12:00)

Tenure Dates

Member	Appointment	Commencement Date	End Date	Extension End Date 1	Extension End Date 2
Marcia Doheny	Member	28 June 2019	28 June 2022		
Marcia Doheny	Chair	17 June 2022	17 June 2025		
Peter Scarlett	Member	17 June 2022	17 June 2025		
Sally Pearce	Member	6 July 2023	6 July 2026		