



information
and privacy
commission
new south wales

REPORT ON THE OPERATION OF THE GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009 2024-25

Open Government, Open Access, Open Data

Letter of Transmission

The Hon. Ben Franklin, MLC
President, Legislative Council
Parliament House
Macquarie Street
Sydney NSW 2000

The Hon. Greg Piper, MP
Speaker, Legislative Assembly
Parliament House
Macquarie Street
Sydney NSW 2000

23 April 2026

Dear Mr President and Mr Speaker,

In accordance with section 37 of the *Government Information (Information Commissioner) Act 2009*, I am pleased to present the *Report on the Operation of the Government Information (Public Access) Act 2009: 2024–25*.

I recommend that the Report be made public forthwith pursuant to section 39(2) of the *Government Information (Information Commissioner) Act 2009*.

Yours sincerely,

Emeritus Professor Rosalind Croucher AM FAAL FRSN

Information Commissioner and IPC CEO
Information and Privacy Commission NSW

ISSN 2202-3550 (Print)

ISSN 2203-6970 (Online)

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Commissioner's Overview

Celebrating 15 Years of the Government Information (Public Access) Act (GIPA Act): Enhancing Transparency and Information Access in the Digital Era

The conclusion of the 2024–25 reporting period marked the 15th anniversary of the commencement of the *Government Information (Public Access) Act 2009* (NSW) (GIPA Act) on 1 July 2025. This important milestone highlights both the enduring relevance of the GIPA Act, as a second generation freedom of information law as a 'push' model,¹ and the significant changes in the way government operates. The object of the GIPA Act is 'to maintain and advance a system of responsible and representative democratic Government that is open, accountable, fair and effective'.² It does so by:

- (a) authorising and encouraging the proactive public release of government information by agencies, and
- (b) giving members of the public an enforceable right to access government information, and
- (c) providing that access to government information is restricted only when there is an overriding public interest against disclosure.

This formulation is anchored in two fundamental ideas: responsible representative democracy reflecting obligations to those who are electors in that democracy – to citizens – through the right and responsibility of voting; and the international law of human rights, in framing rights vested in individuals as *humans*, and not because of citizenship.³

Since 2009, the rapid pace of digital transformation, the expanded use of grant schemes to allocate public funds and the growing reliance on private and non-government partners in service delivery have reshaped how information is created, stored, shared and

accessed. These developments continue to present new complexities for agencies in meeting their information access obligations. While the core principles of the GIPA Act remain as vital as ever, the mechanisms needed to uphold these rights must evolve to meet the demands of a modern, data rich, technology driven environment.

The Information and Privacy Commission (IPC) aims to build greater awareness of the connection between transparency and community participation. Ensuring that government information is accessible supports informed public engagement and enhances accountability across the public sector, reflected in the object of the GIPA Act.

This annual report to Parliament sets out the operation of the GIPA Act during the 2024–25 reporting period. It provides important insights to guide policy makers and NSW agencies in fulfilling their obligations and reinforces the ongoing importance of open government in promoting public trust, accountability, and transparency for the people of NSW.

Key trends and analysis for 2024–25

The number of valid applications received by agencies continued to increase, with access applications growing a further 7% from 27,485 in 2023–24 to a new record of 29,280 in 2024–25. In observing the type of information applied for, outcomes for applications that sought partly personal and partly other information continued to increase significantly to 9,480 in 2024–25, compared to 6,897 in 2023–24. This reflects a 163% increase from 2020–21 to 2024–25. These results highlight the strong ongoing interest of the public in exercising the right to access government-held information.

Consistent with previous years, the number of invalid applications remained high. In 2024–25, invalid applications were equivalent to 12% of all formal applications received. Notably, the Council sector had a

¹ See R Croucher, 'Information Access in the Era of GIPA', presentation to the Records Managers Forum, 17 March 2026, [IPC Speaking Notes by IC Rosalind Croucher - RIMPA - 3 July 2025](#).

² *Government Information (Public Access) Act 2009* (NSW) s 3(1).

³ *International Covenant on Civil and Political Rights* opened for signature 16 December 1966, 999 UNTS 171 (entered into force 23 March 1976) article 19(2).

moderate decrease in invalid applications at 8% in 2024–25, compared to 21% in 2023–24. This indicates that efforts by agencies to help applicants make their applications valid have been effective.

The proportion of invalid applications across the other sectors remained consistent, reflecting smaller cohorts of applications, where even minor changes in application numbers can produce more noticeable percentage shifts. The IPC continued to receive complaints about decision-making timeframes, which indicates that agencies have opportunities to review their internal processes for efficiencies and engage with IPC published guidance on how the decision period is calculated and how and when extensions may be sought.

The right of review is an important mechanism in the GIPA framework, offering an opportunity for applicants to seek reconsideration of decisions made regarding access to information. Overall, while review rates have remained stable in most sectors, the proportion of external reviews by the Information Commissioner as a percentage of all reviews conducted remained consistent at 38%. Reviews in which the Information Commissioner recommended that agencies reconsider their decisions also remained similar at 40% in 2024–25, as compared to 39% in 2023–24. Internal reviews as a percentage of all reviews also remained consistent at 48% in 2024–25, compared to 52% in 2023–24.

Transparency in grants administration

Under the amendments to the *Government Information (Public Access) Regulation 2018* (NSW) (GIPA Regulation) that were introduced in 2023, transparency in public grants administration across NSW has been strengthened. Since early 2024, under the new clause 6A of the GIPA Regulation, agencies that administer grant schemes have been required to publish prescribed grants information as open access information on the NSW Government Grants and Funding Finder. This requirement supports a consistent, accessible and accountable approach to grants reporting across the NSW public sector.

Authorised proactive release: the ‘push’ mechanism

While the IPC has continued to support agencies in strengthening their proactive release programs, the 2024–25 reporting year showed stable results, with the proportion of agencies reviewing their programs for the release of government information remaining consistent at 81% in 2023–24 and 79% in 2024–25.

Across the sectors, there was a moderate increase in the University sector, while the Council sector remained unchanged. Furthermore, the release of additional information following a review has also declined across all sectors. It remains an important role of the IPC to support proactive release and promote compliance by agencies with the requirement to conduct an annual review of their authorised proactive release program.

Authorised proactive release is an important ‘push’ pathway that encourages agencies to make as much information publicly available as possible. This requires agencies to cultivate and foster a culture where information release is prioritised. The benefits of effective proactive release are significant and ensure an engaged and informed community that is better able to participate in democratic government and decision-making. In 2024–25, 103 agencies voluntarily provided information on their annual review of their proactive release program. This report presents initial insights into the types of information agencies are releasing proactively and the enhancements being implemented to improve public access.

Key Updates on the IPC’s Regulatory Framework and Organisational Direction

Towards the tail end of the 2024–25 reporting period, the IPC introduced its Regulatory Framework, which sets out the statutory instruments underpinning information access and privacy protection in NSW, along with the IPC’s plans and regulatory activities to support compliance with these laws. The Regulatory Framework recognises that the environment in which

regulated entities operate continues to evolve, shaped by rapid technological change and shifts in government service delivery, including increased reliance on digital platforms and government initiatives. In this context, the Framework emphasises the importance of ensuring that members of the public are not excluded from government processes and that their rights to information access and privacy are upheld, which is central to maintaining the integrity framework in New South Wales. As a recognised integrity agency, the IPC continues to strengthen its role by supporting regulated entities, promoting best practice and safeguarding the public's rights, as government practices and technologies continue to evolve.

Looking ahead

My focus as Information Commissioner for the coming year will include the beginning of a long-term project in relation to our public facing publications and resources related to the GIPA Act to ensure they remain current, accessible and fit for purpose. As we approach the 20th anniversary of the GIPA Act in 2029, the coming years provide an opportunity for a broader reflection on the operation of the GIPA Act, and whether it is functioning effectively in fulfillment of the object of the Act in a changing information environment.

Emeritus Professor Rosalind Croucher AM FAAL FRSN
Information Commissioner and IPC CEO

Future Focus for Agencies

The IPC encourages agencies to implement specific strategies that respond to the 2024–25 reporting outcomes.

1

MANDATORY PROACTIVE RELEASE

- Ensure compliance with new and updated obligations under the GIPA Regulation, including taking action to provide the first three requirements under clause 6(2) of the GIPA Regulation¹ (a list of the Department's major assets, the total number and value of properties disposed of, and the Department's guarantee of service) and publishing prescribed grants information on the NSW Government Grants and Funding Finder in line with clause 6A.
- Improve accessibility and usability of information by ensuring information is easy to locate on agency websites and published in clear, accessible formats.

2

AUTHORISED PROACTIVE RELEASE

- Ensure ongoing compliance with section 7(3) of the GIPA Act by conducting an annual review of information held by the agency to identify additional information suitable for authorised proactive release.²
- Engage with stakeholders to identify and prioritise information of community interest for release and analyse data from requests for information to identify trends and documents that could be proactively released.
- Improve accessibility and usability of proactively released information by ensuring information is easy to locate on agency websites and published in clear, accessible formats.

3

INFORMAL RELEASE

- Ensure clear, consistent guidance is available to frontline and decision-making staff, including examples of information suitable for informal release and scenarios where it is appropriate.³
- Engage with applicants proactively to clarify requests and avoid unnecessary refusals, delays, or escalation to formal reviews.

4

FORMAL ACCESS APPLICATIONS

- Improve decision-making quality, ensuring that reasons for decisions are clear, well documented and compliant with the GIPA Act, to reduce the likelihood of internal or external review.⁴
- Improve practices in search and retrieval, ensuring staff are trained to efficiently identify relevant information holdings across business systems.
- Engage with IPC guidance and resources, including case studies, fact sheets, and updated advice.⁴

¹ <https://legislation.nsw.gov.au/view/whole/html/inforce/current/sl-2018-0510>

² https://www.ipc.nsw.gov.au/sites/default/files/2020-01/Fact_Sheet_Authorised_proactive_release_of_government_information_September_2019.pdf

³ <https://www.ipc.nsw.gov.au/information-access/agencies/informal-release-information>

⁴ <https://www.ipc.nsw.gov.au/resources?f%5B0%5D=audiences%3A19&f%5B1%5D=topics%3A28>

<https://www.ipc.nsw.gov.au/information-access/agencies/case-notes/gipa-case-studies>

https://www.ipc.nsw.gov.au/resources?f%5B0%5D=audiences%3A19&f%5B1%5D=resource_type%3A2616&f%5B2%5D=topics%3A28

Information Release Pathways

Pathway 1: Mandatory proactive release of information

Since 2010–11, the IPC has conducted an annual desktop audit of agency compliance with mandatory proactive release requirements under the GIPA Act (also known as Open Access information).

For 2024–25, the IPC conducted a desktop audit of the 12 principal departments, as listed in Part 1 of Schedule 1 of the *Government Sector Employment Act 2013*, and a sample of 20 smaller agencies. The desktop audit identified whether each department and sampled smaller agency had complied with the GIPA Act to publish on its website:

- an Agency Information Guide (AIG)
- agency policy documents
- an agency disclosure log
- an agency contracts register.

The desktop audit did not examine the comprehensiveness of the information made available, such as whether an agency had published all its policy documents or whether the information was up to date.

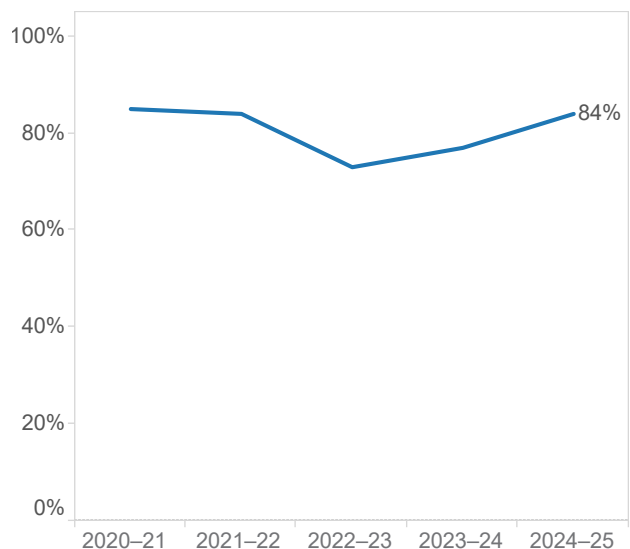
When comparing the audit results from 2024–25 with past years, it is important to note that changes in the number of departments have affected the overall audit sample, which prevents direct comparisons from year to year.

In particular, it is noted that while there were 12 principal departments in 2023–24, only 10 were included in the 2023–24 desktop audit, because of Machinery of Government changes that took effect on 1 July 2024. In 2022–23, there were 10 principal departments.

Compliance with Open Access requirements has improved

Across the departments and sampled smaller agencies, the desktop audit found 84% compliance with the mandatory proactive release requirements this year, a moderate improvement from 77% in 2023–24 and 73% in 2022–23 (Figure 1), returning to the same level of compliance reported in 2021–22 (84%).

Figure 1: Departments and sampled smaller government agency compliance with mandatory proactive release requirements, 2020–21 to 2024–25



The desktop audit also showed the following:

- 81% of sampled agencies had an AIG – consistent with 80% in 2023–24, and a moderate increase from 70% in 2022–23.
- 94% of sampled agencies had policy documents available – a moderate increase from 83% reported in 2023–24 and consistent with 90% reported in both 2022–23 and 2021–22.
- 81% of sampled agencies had a disclosure log – a moderate decrease from 87% in 2023–24 but a significant improvement compared to 63% in 2022–23.
- 81% of sampled agencies had a contract register – a moderate decrease from 87% in 2023–24 but a noted improvement from 67% in 2022–23.

Full compliance by departments was moderately higher at 96% than the rate for sampled agencies, which was 84% overall.

For sampled agencies other than departments, the compliance rate of 78% in 2024–25 is consistent with 79% in 2023–24, which marks a significant improvement compared to 60% reported in 2022–23.

The results of the 2024–25 desktop audit demonstrated improved compliance with mandatory reporting requirements by agencies overall, when compared to the 2023–24 desktop audit.

In 2023 and 2024, the IPC incorporated the use of an automated website scanning tool to identify the existence of AIGs on agency websites. In 2024–25, the website scanning tool returned similar results to the desktop audit on AIGs, showing 78% of agencies were determined to have published an AIG.

Compliance with additional Open Access requirements for departments remains low

Principal departments are subject to a number of additional requirements for Open Access as set out in clause 6(2) of the GIPA Regulation. These are to make available:

- (a) a list of the Department's major assets, other than land holdings, appropriately classified and highlighting major acquisitions during the previous financial year;
- (b) the total number and total value of properties disposed of by the Department during the previous financial year;
- (c) the Department's guarantee of service (if any);
- (d) the Department's code of conduct (if any); and
- (e) any standard, code or other publication that has been applied, adopted or incorporated by reference in any Act or statutory rule that is administered by the Department.

The IPC conducted a desktop audit of compliance by departments with these 5 additional Open Access requirements. The audit found that compliance with these additional requirements remained low.

The following results of compliance were met by the audited principal departments:

- 33% (four departments) fully met and 67% (eight departments) only partially met the requirement in relation to major assets and acquisitions. This is a moderate improvement compared to 20% (two departments) that fully met requirements and consistent with 70% (seven departments) that partially met requirements in 2023–24.
- 33% (four departments) fully met and 67% (eight departments) only partially met the requirement in relation to both the total number and the total value of properties the department disposed of during the previous financial year. This is a moderate decline from the 40% (four departments) that fully met the requirements in 2023–24, and a moderate improvement from the 60% (six departments) that partially met requirements in 2023–24.
- 25% (three departments) had the department's guarantee of service, consistent with 30% (three departments) in 2023–24.
- 100% (12 departments) had the department's code of conduct, consistent with 100% (10 departments) in 2023–24 and 2022–23.
- 67% (eight departments) had a number of documents or webpages marked as 'standard' or 'code' available on the website, a significant decline from 90% (nine departments) in 2023–24 and 100% in 2022–23.

Compliance with the first additional Open Access requirement continued to improve, following the IPC's [GIPA Act – Additional Open Access – Assets and Acquisitions Report](#) published in May 2023.

However, overall compliance with additional Open Access requirements remains low. With the exception of publishing the department's code of conduct, most departments are failing to publish the required Open Access information in full on their website or provide it via alternate means.

The IPC will continue to consider ways in which it can support agencies to improve compliance with their mandatory proactive release obligations, including continuing to promote the [Open Access information under the GIPA Act – agency requirements](#) checklist which informs agencies and departments about Open Access information required to be released.

Issue Highlight: Desktop Review of AI or ADM use within AIGs

AIGs are important instruments that help the public understand what information a government agency holds and the ways in which their functions affect members of the public. AIGs must be published in accordance with Part 3 Division 2 of the GIPA Act.

As NSW government continues to adopt the use of technologies such as Artificial Intelligence (AI) or Automated Decision Making (ADM), it is critical for agencies to maintain clear information governance to preserve the public's right to information. While the GIPA Act does not expressly require agencies to disclose the use of AI or ADM in their AIGs, inclusion of such information enables the public to understand better how decisions are made and encourages public participation in the agency's functions. Non-disclosure of the use of AI or ADM is contrary to the objective of the GIPA Act to maintain responsible and representative government through transparency and accountability.

In 2025, the IPC engaged Deloitte Touche Tohmatsu Limited (Deloitte) to conduct a desktop review of documented AI or ADM use within AIGs and Privacy Management Plans (PMPs). The review assessed a sample of 119 agencies from across the NSW public sector, informed by reference to reviews of agency websites and reports that indicated AI or ADM may be in use. The report of the review was published on 17 November 2025 and is [available in full on the IPC's website](#).

The review found that the majority of sampled agencies were not yet documenting information about AI or ADM use within their AIGs:

- 83% of agencies did not provide a direct or indirect reference to use of AI or ADM
- 3% of agencies provided a direct reference to use of AI or ADM
- 1% of agencies provided an indirect reference to use of AI or ADM
- 9% accounted for agencies whose AIG was unable to be located online
- 4% followed the AIG of their parent department and did not have a separate AIG available.

The review also found that none of the sampled agencies described in their AIGs how AI or ADM affects members of the public.

Based on these outcomes, the review found that agencies who directly referenced their use of AI or ADM in their AIGs did not appear to be fulfilling their obligations under section 20(1) of the GIPA Act.

The review made six recommendations, including:

- **Recommendation 1:** Agencies should review and update their AIGs to ensure that any current uses of AI or ADM are clearly documented.
- **Recommendation 2:** Agencies should consider including basic information about AI or ADM in their AIGs regardless of whether their use of AI or ADM is limited or emerging.
- **Recommendation 3:** The IPC should collaborate with agencies to integrate IPC guidance supporting disclosure of AI and ADM use and aligned to GIPA Act objectives.
- **Recommendation 6:** Agencies should review documented AIG and PMP content to provide clarity to ensure members of the public clearly understand how the use of AI/ADM (if used) may affect them.

These findings and recommendations highlight an opportunity for the IPC to continue supporting agencies to comply with their obligations in relation to AIGs under the GIPA Act, as well as the development of further resources and guidance. The IPC will also continue to promote its fact sheet guidance to agencies on the release of information in relation to the use of [ADM: Fact Sheet - Automated decision-making, digital government and preserving information access rights – for agencies](#).

Compliance with additional Open Access requirements for grants administration

2023–24 was the first reporting year since the GIPA Regulation was amended to require agencies that administer grant schemes to make certain information about those grants publicly available.⁸

The Grants Administration Guide⁹ (Grants Guide) sets out the mandatory information required to be published, including:

- information about upcoming grant opportunities
- open grant opportunity guidelines
- all grants awarded
- the exercise of Ministerial discretion in making grant decisions that vary from the recommendation of officials, including the reasons for any such decision
- program evaluations.

The prescribed website for the publication of grants information is the NSW Government Grants and Funding Finder (www.nsw.gov.au/grants-and-funding).

In 2024–25, nine of the principal departments (75%) and three of the sampled agencies (19%) had published information about grant opportunities on the NSW Government Grants and Funding Finder website. However, desktop audits of compliance with this requirement continued to be challenging due to limited search functionality on the centralised website and the inability to obtain a definitive list of which agencies had administered grants. The IPC will continue to explore additional mechanisms for monitoring compliance with the publication of grants administration information.

Complaints to the IPC about mandatory proactive release

Complaints to the IPC identified some concerns regarding compliance with the mandatory requirements for proactive release of information.

In 2024–25, 10% of complaints finalised by the IPC concerned Open Access information, a moderate decrease from the 21% reported in 2023–24 and 16% reported in 2022–23. As in previous years, Open Access-related complaints mainly concerned agencies not making Open Access information available.

⁸ The GIPA Regulation was amended with effect from 1 July 2023, to include clause 6A – Additional open access information about grants administration.

⁹ <https://www.nsw.gov.au/grants-and-funding/grants-administration-guide>



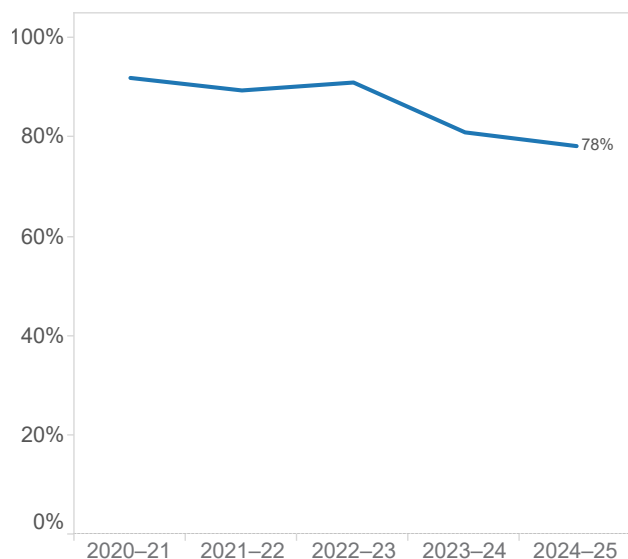
Pathway 2: Authorised proactive release of information

Agency reviews of programs for release of government information has remained stable

Agencies are required to conduct reviews of their program for the release of government information at least annually.

In 2024–25, 78% of agencies self-reported having conducted a review of their program for the release of government information. This is similar to the 81% reported in 2023–24 (Figure 2).

Figure 2: Agencies that conducted annual information release reviews as a percentage of all agencies that reported, 2020–21 to 2024–25



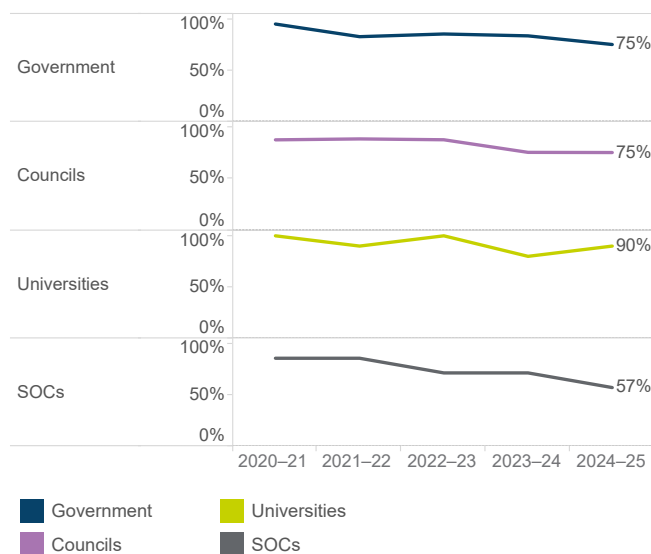
Results across the sectors varied (Figure 3):

- 90% of universities conducted reviews – a moderate increase from 80% in 2023–24.
- 75% of agencies in the Government sector conducted reviews – a moderate decline from the 86% reported in 2023–24.
- 75% of councils conducted reviews – consistent with 75% in 2023–24.
- 57% of SOCs conducted reviews – a significant decline from 71% in 2023–24.

During 2024–25, the IPC continued to support agencies with their proactive release programs.

The IPC encourages agencies to utilise the resources provided by the IPC, including the GIPA Tool and Information Access Self-assessment Tool, to assist them to comply with their proactive release obligations.

Figure 3: Agencies that conducted annual information release reviews as a percentage of all agencies that reported, by sector, 2020–21 to 2024–25

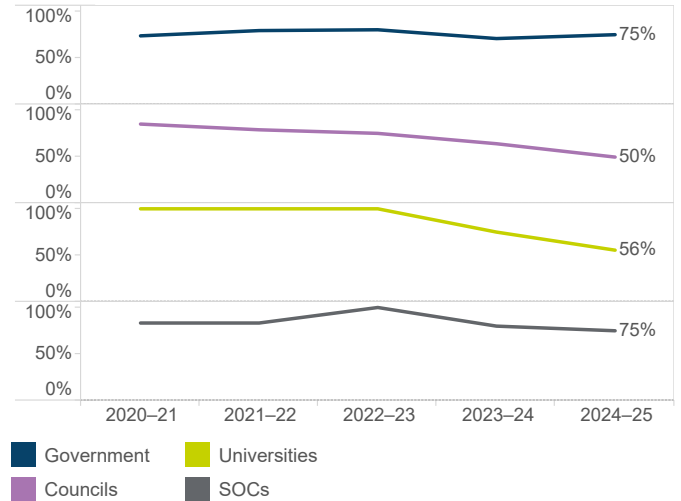


Overall release of additional information following a review has declined

Figure 4 shows the trends in the percentage of reviews leading to the release of additional information and shows:

- 75% of agencies in the Government sector released additional information following review – a moderate increase from the 69% reported in 2023–24.
- 50% of councils released additional information following review – a moderate decline from the 62% reported in 2023–24.
- 56% of universities released additional information following review – a significant decline from 75% in 2023–24.
- 75% of SOCs released additional information following review – similar to the 80% reported in 2023–24.

Figure 4: Agencies that released additional information as a percentage of agencies that conducted a review, by sector, 2020–21 to 2024–25





Pathway 3: Informal release of information

The informal release of information benefits both agencies and stakeholders by increasing options for access to information outside formal application processes. The effectiveness of this pathway depends on sound agency practices, including linking those processes to other access mechanisms, such as AIGs.

Agency practices

The GIPA Act authorises agencies to release government information informally unless there is an overriding public interest against disclosure of the information.

Informal release under the GIPA Act is a fast, cost-effective alternative for both the applicant and the agency. Agencies have flexibility in deciding how information is to be informally released. Conditions can also be imposed on the use of the information released this way, unlike formal access decisions. Additionally, the GIPA Act provides other legal protections for agencies using this pathway.

By highlighting the role of the informal release pathway, agencies can streamline the handling of common information requests and help people avoid the cost, time and effort required in preparing and lodging a formal access application. Agencies should also use these insights to determine what information can be proactively released.

The IPC recommends that agencies exercise their discretion to deal with requests informally wherever possible, to facilitate timely access to government information at the lowest reasonable cost. Agencies should also ensure that review rights are considered and discussed with applicants when exploring the option of managing a request informally.

Informal release reporting

Since March 2023, the IPC has included questions about informal release in the IPC's GIPA Tool. Agencies are asked to respond to those questions on a voluntary basis. Voluntary reporting has remained consistent, with 151 agencies (56%) providing data to the IPC on informal access applications in 2024–25, compared to 154 agencies (57%) in 2023–24.

The data shows that agencies continued to receive a higher volume of informal access applications compared to formal access applications, and this trend remains unchanged.

Agencies that provided voluntary reporting received 42,404 informal requests in 2024–25. Although voluntary reporting accounted for only 56% of all agencies, the number of informal applications reported was equivalent to 134% of the total formal access applications received by all agencies in 2024–25.

The data shows that agencies finalised 91% of informal requests received in 2024–25, remaining consistent with the 88% finalised in 2023–24. The timeliness of decision making moderately increased, with 72% of informal requests finalised within 20 business days in 2024–25, compared to 60% in 2023–24. In 2024–25, 42% of informal access requests were granted in full, a moderate increase from 29% in 2023–24. Similarly, 14% of informal access requests were granted in part, representing a moderate increase from 7% in 2023–24.

Information about the outcomes of informal requests is incomplete, as agencies only reported on the outcomes of 44% of the informal release requests received, consistent with 43% in 2023–24. This suggests an ongoing need for agencies to develop policies and procedures to support informal release applications and to better capture data on the outcomes.

The results are summarised in the following table.

Number of Informal Requests Received	Number of Informal Requests Closed	% of Informal Access Requests completed in 20 Business Days	% of Informal Access Requests where access granted in full	% of Informal Access Requests where access granted in part	% of Informal Access Requests where access was refused
45,404	38,457	72%	42%	14%	1%



Pathway 4: Formal applications

Valid applications continue to increase

In 2024–25, there was a record number of formal applications to NSW agencies: 29,280. This represents a 7% increase on the 27,485 applications received in 2023–24, following a 12% increase in 2022–23 and a 3% increase in 2021–22.

The GIPA Act provides a legally enforceable right to access government information upon application, unless there is an overriding public interest against disclosure.

Agencies must assess the validity of each formal application for information that is received. For valid access applications, agencies must then apply the public interest test and balance the factors for and against the disclosure of the information that is requested.

The main benefits of the formal access pathway include:

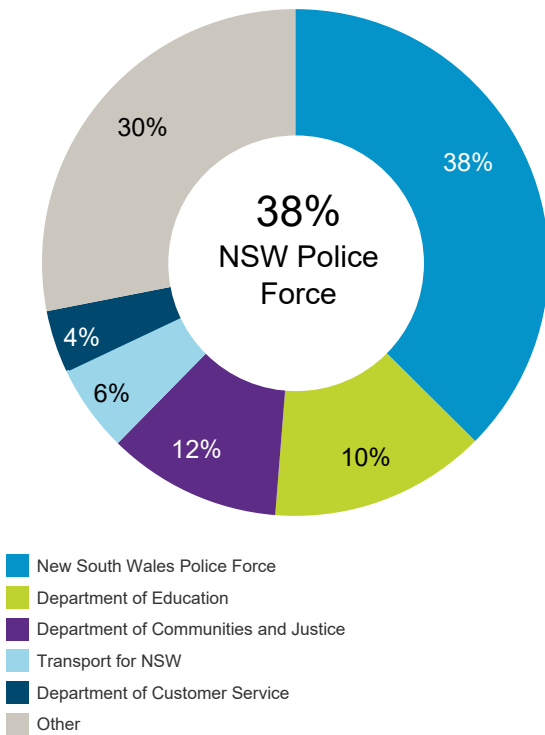
- the right to seek access is legally enforceable
- agencies must process applications within statutory timeframes
- agencies are not subject to the direction or control of any Minister when dealing with an access application
- agencies must apply the public interest balancing test and consult with third parties to whom the information relates
- applicants have a right to seek review of an agency's decision about the application through a number of review avenues: an internal review by the agency, an external review by the Information Commissioner and an external review by the NSW Civil and Administrative Tribunal (NCAT).

The IPC continues to publish a dashboard on its website, enabling easy access and understanding of NSW agencies' operation of the formal pathway.¹⁰

¹⁰ <https://www.ipc.nsw.gov.au/information-access/agency-gipa-dashboard/gipa-dashboard>

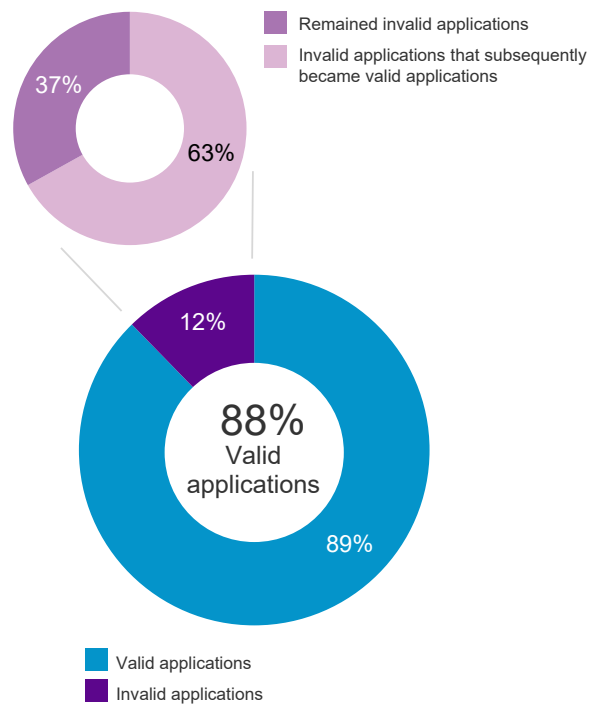
Year at a glance

Where were applications lodged?*

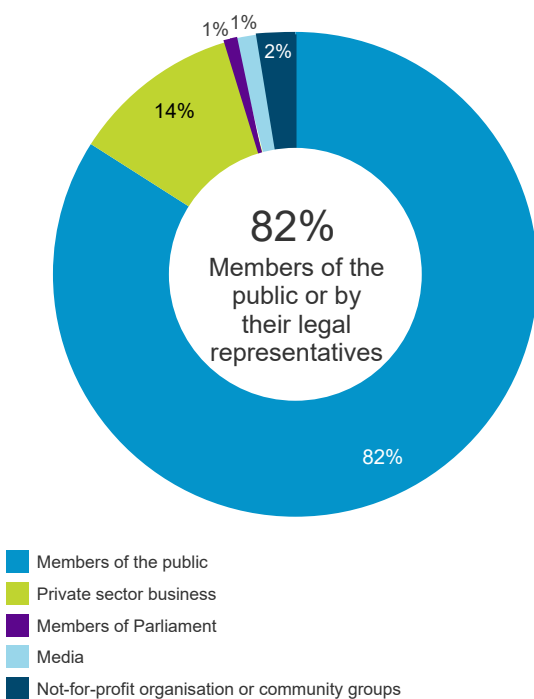


* This graph represents applications lodged with government agencies

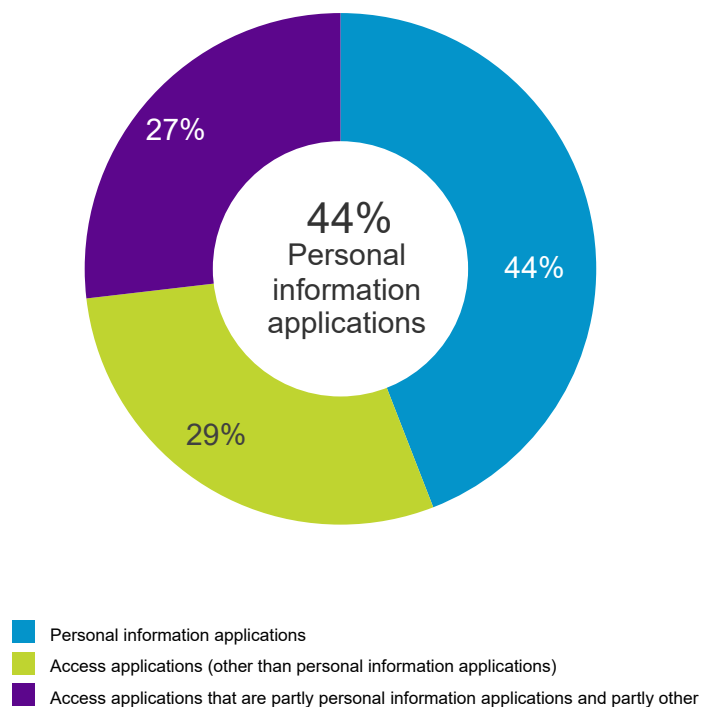
Were applications invalid?



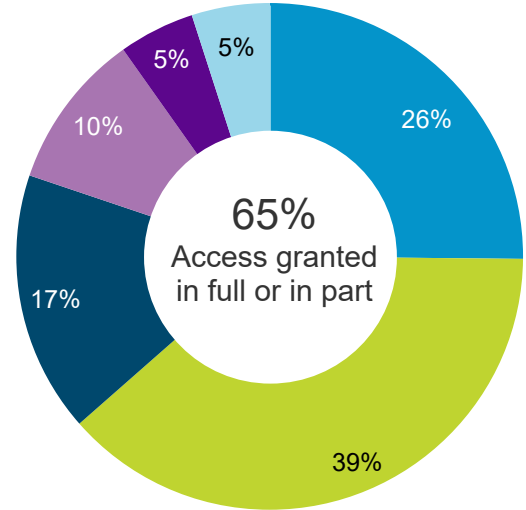
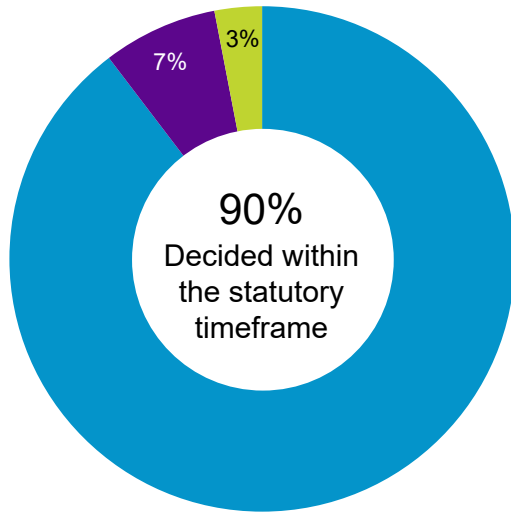
Who applied?



What was asked for?



How quickly were decisions made? Did applicants get what they asked for?

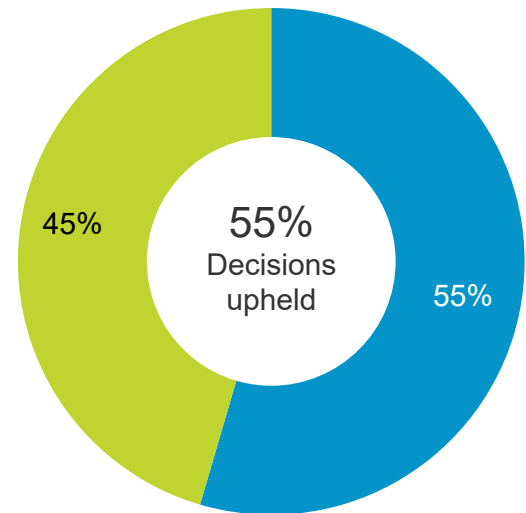
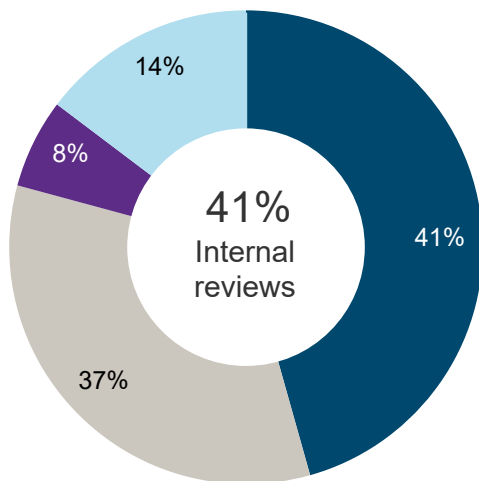


- Decided within the statutory timeframe (20 days plus any extensions)
- Decided after 35 days (by agreement with applicant)
- Not decided within time (deemed refusal)

- Access granted in full
- Access granted in part
- Information not held
- Access refused in full
- Other outcomes
- Application withdrawn

How were decisions reviewed?*

What were the main review outcomes?



- Internal review
- Review by the Information Commissioner
- Internal review following recommendation under section 93
- Review by NCAT

- Decision upheld
- Decision varied

**Distribution of review by type, using best available source data (agency, IPC and NCAT data)

How many applications were lodged?

The total number of valid applications received by NSW agencies increased by 7%, a moderate increase compared to the previous reporting period

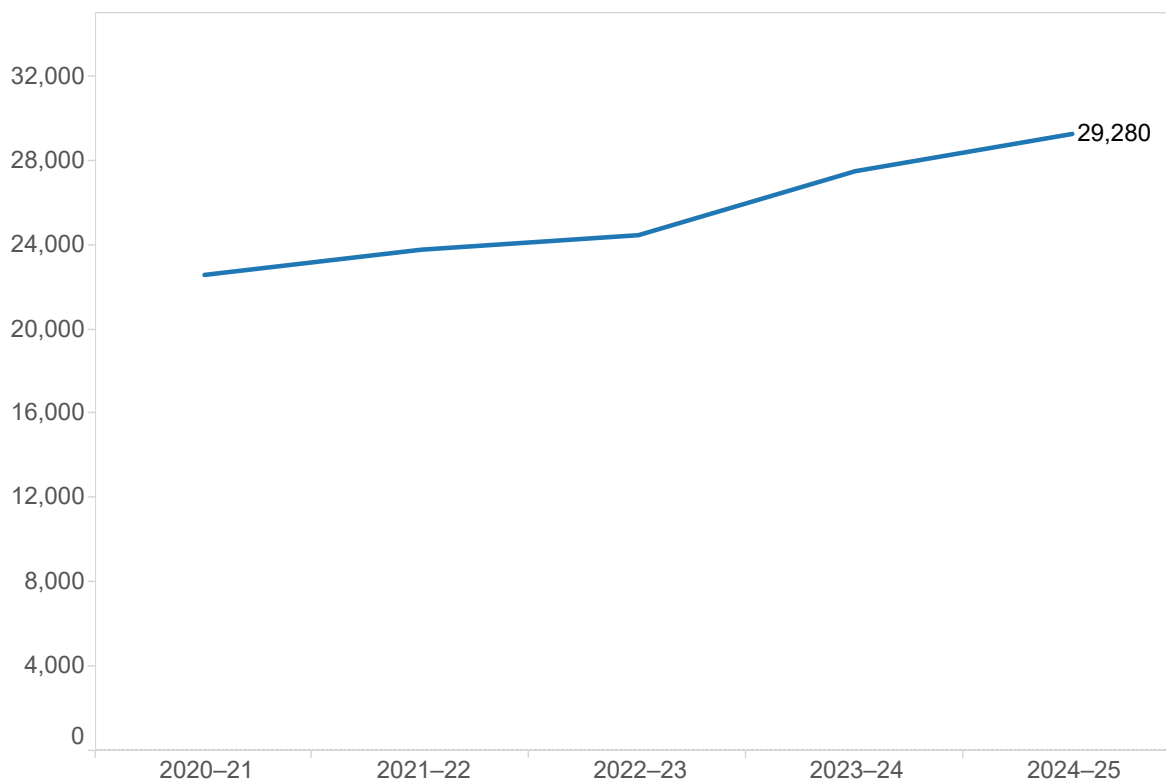
Agencies advised the IPC they received 29,280 valid applications in 2024–25. This compares with 27,485 valid applications in the previous financial year and represents an increase of 1,795 applications, or 7% in valid applications received. The trend in applications is shown in Figure 5.

Most applications were made to the Government sector¹¹

Consistent with previous years, the Government sector continued to account for most (24,030 or 82%) of the valid applications (Figure 7). The overall proportion of valid applications received by the Government sector was similar to 2023–24 (84%).

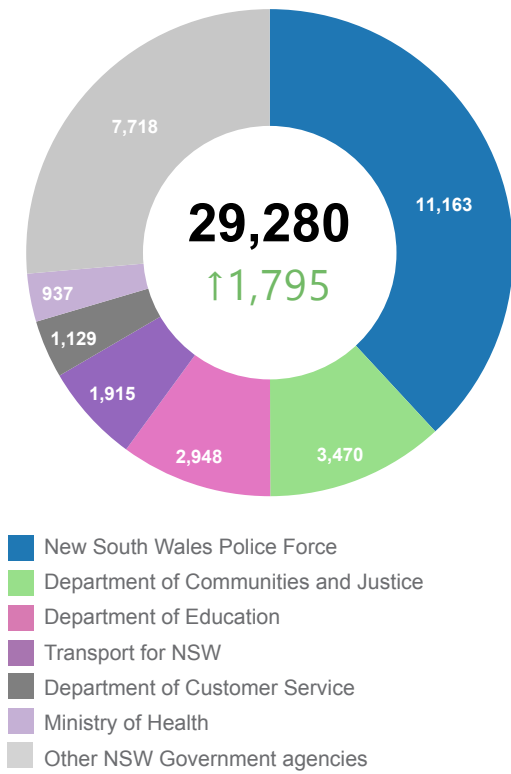
In 2024–25, the NSW Police Force received 38% of all valid applications, consistent with 37% in 2023–24 (Figure 6). The NSW Police Force again continued to receive the largest proportion of valid applications across all sectors. The top six government agencies by number of applications received remains similar to last year (Figure 6).

Figure 5: Total number of valid applications received, 2020–21 to 2024–25



¹¹ Since 2016–17, data has been reported across five sectors, including state-owned corporations. This will affect comparisons with the published reports in earlier years.

Figure 6: Distribution of valid applications received, by government agency, 2024–25



Notable changes in valid applications received across these agencies:

- 13% increase in applications received by other NSW Government agencies, from 6,847 in 2023–24 to 7,718 in 2024–25
- 8% increase in applications received by the NSW Police Force, from 10,294 in 2023–24 to 11,163 in 2024–25.¹²

Applications in the Government and University sectors increased

The number of applications received by the Council sector increased by 17% compared to results reported in 2023–24 (Figure 7).

The number of applications received by the Government sector increased by 4% compared to the 2023–24 results.

Applications received in the University sector increased by 55% in 2024–25 compared to the previous year.

Applications received in the State-Owned Corporations sector increased by 20% compared to the previous year.

Applications received by the Minister sector increased from 22 applications in 2023–24 to 36 in 2024–25.

Figure 7: Number of applications received, by sector, 2020–21 to 2024–25



How many applications were lodged?’ is reported and measured by the requirement for agencies to report on the total number of formal applications received during the year and that were assessed as valid in clause 8(b) of the GIPA Regulation.

¹² These figures do not take into account any change in the functions of these agencies between reporting years, such as through Machinery of Government changes.

Invalid applications

Invalid applications

The number of invalid applications can be an indicator of the extent to which the GIPA Act is understood by applicants and agencies. It also provides insight into the level of flexibility offered by agencies to applicants to amend their applications so that they can be considered. Section 52(3) of the GIPA Act requires agencies to provide reasonable advice and assistance to enable applicants to make a valid application.

Figure 8 shows the flow of applications from receipt to initial assessment and subsequent processing, together with the number of valid applications received in 2024–25.

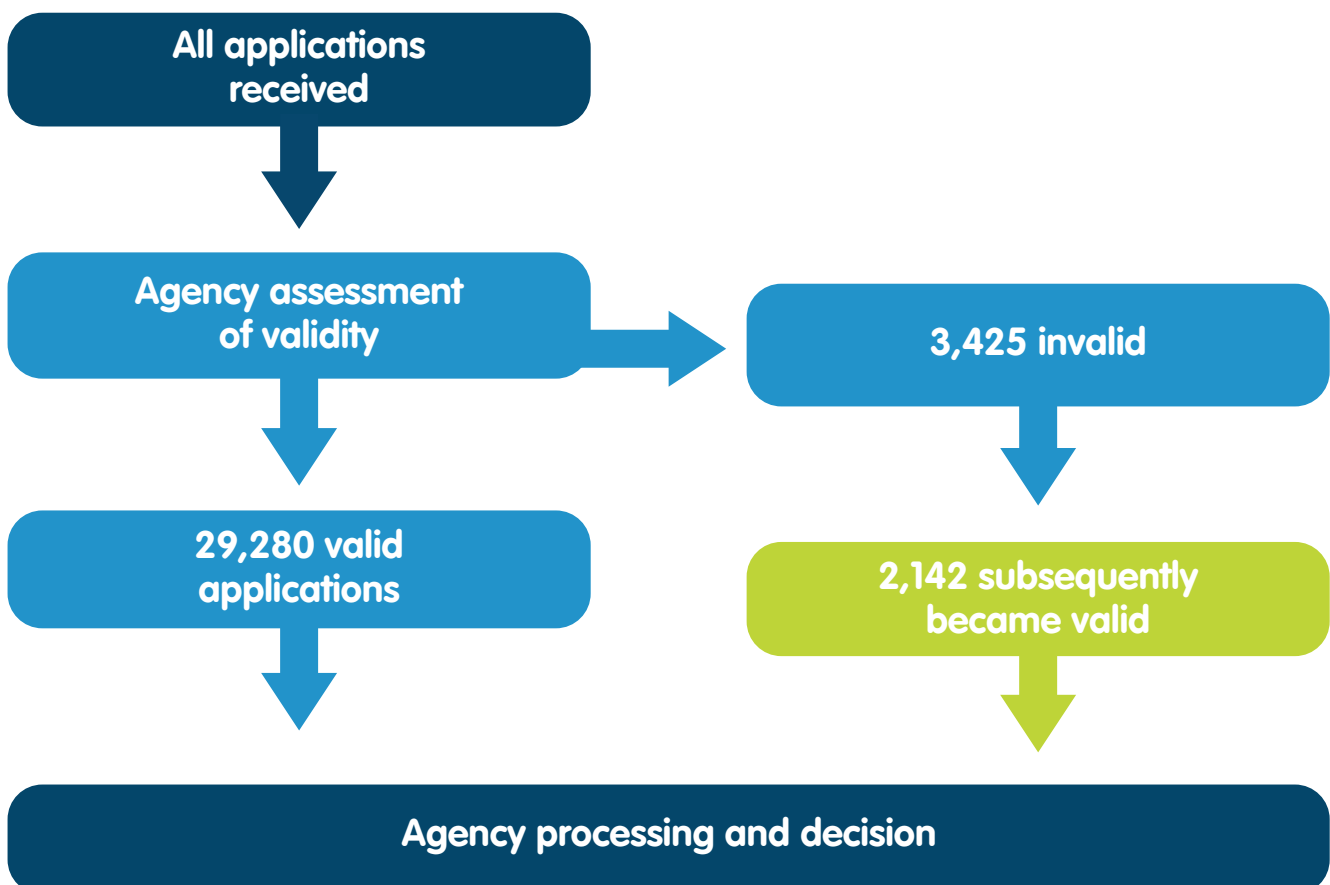
The rate of invalid applications received remains high

In 2024–25, agencies received 3,425 invalid formal applications, equivalent to 12% of all formal applications received (Figure 9).

This is consistent with the proportion of invalid applications reported in 2023–24 (3,378 or 12%).

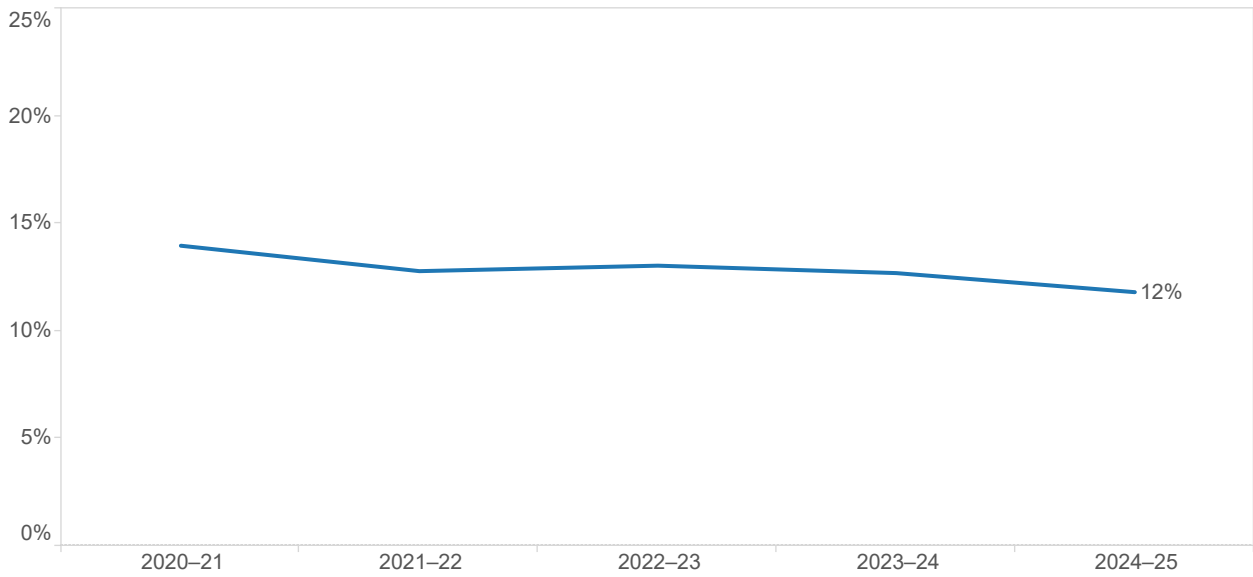
Consistent with previous years, the most common reason for invalidity continues to be that the application did not comply with formal requirements (applying in 94% of invalid applications).

Figure 8: Flow of valid and invalid formal applications, 2024–25



'Invalid applications' are reported and measured by the requirement for agencies to report on the number of invalid applications specified in Table C of Schedule 2 to the GIPA Regulation.

Figure 9: Invalid applications as a percentage of all formal applications received, 2020–21 to 2024–25



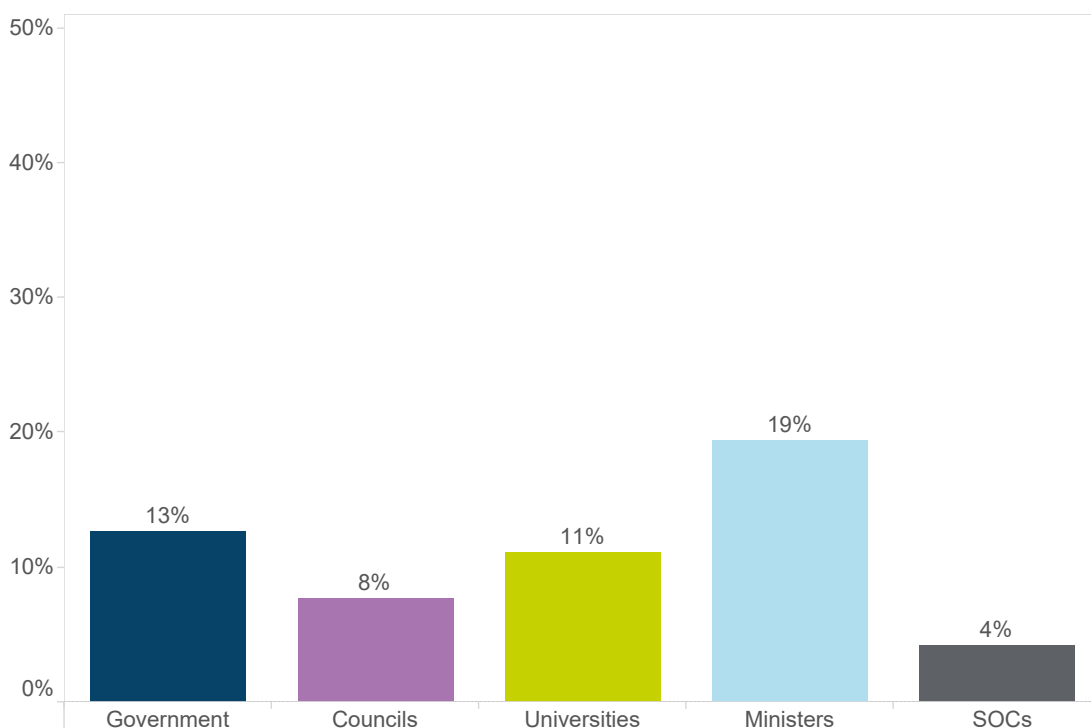
Invalid applications arise for a range of reasons, including where applicants have not met one or more of the requirements in section 41 of the GIPA Act, or where the application relates to excluded information (section 43 of the GIPA Act).

Agency websites and forms which clearly outline the mandatory requirements, along with agency processes that help applicants meet these requirements, can reduce the number of invalid applications lodged and minimise the time agencies spend preparing or assessing them.

Because agencies are required to provide advice and assistance to help applicants make valid applications, they should promote opportunities to utilise guided application processes, including electronic lodgement.

The Council sector had a moderate decrease in invalid applications: 8% in 2024–25 (Figure 10), compared to 21% in 2023–24.

Figure 10: Invalid applications as a percentage of all formal applications received, by sector, 2024–25



The other sectors remained consistent in the proportion of invalid applications received. As noted in previous reports, the trend is consistent with the observation that smaller population sizes lead to more noticeable percentage changes, due to the number of applications having a greater distortionary effect.

The percentage of invalid applications in the University sector remained consistent at 11% from 2023–24 to 2024–25. The overall number of total applications received by universities is relatively low, increasing from 122 to 216 applications.

The number of invalid applications received by the Government sector remained stable

The number of invalid applications remained stable for the Government sector, however some agencies within the Government sector experienced moderate changes in the percentage of applications that were invalid compared to 2023–24. This included:

- Department of Education – increased from 3% in 2023–24 to 15% in 2024–25
- NSW Treasury – declined from 13% in 2023–24 to 5% in 2024–25.

As noted in Figure 8, many invalid applications subsequently became valid applications.

Invalid applications that subsequently become valid are decreasing

Agencies are required to assist applicants to make a valid access application. In 2024–25, 63% of invalid applications subsequently became valid. This represents a slight decrease from 67% in 2023–24 (Figure 11).

applications that subsequently became valid has:

- remained largely consistent in the Government sector, with 63% reported in 2024–25 and 62% in 2023–24
- significantly decreased in the Council sector, with 65% reported in 2024–25, compared to 83% in 2023–24
- significantly decreased in the University sector, with 42% reported in 2024–25, compared to 67% in 2023–24
- significantly increased in the State-Owned Corporations sector, from 82% in 2023–24 to 100% in 2024–25.

Figure 11: Invalid applications that became valid as a percentage of all invalid applications, 2020–21 to 2024–25

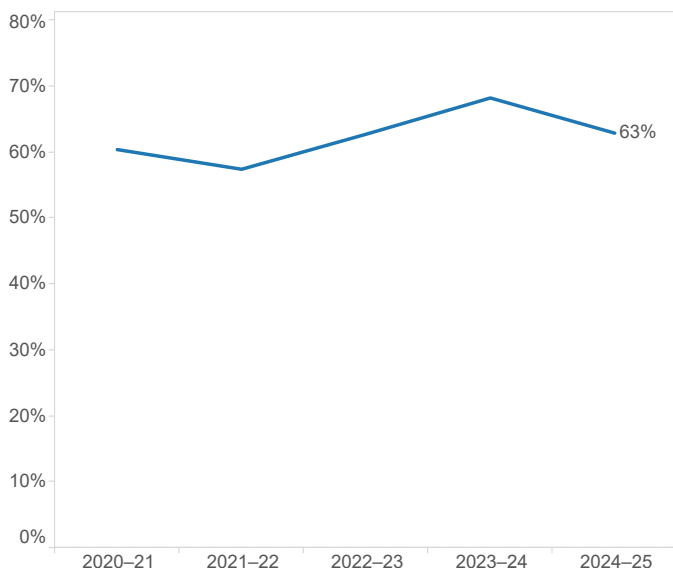
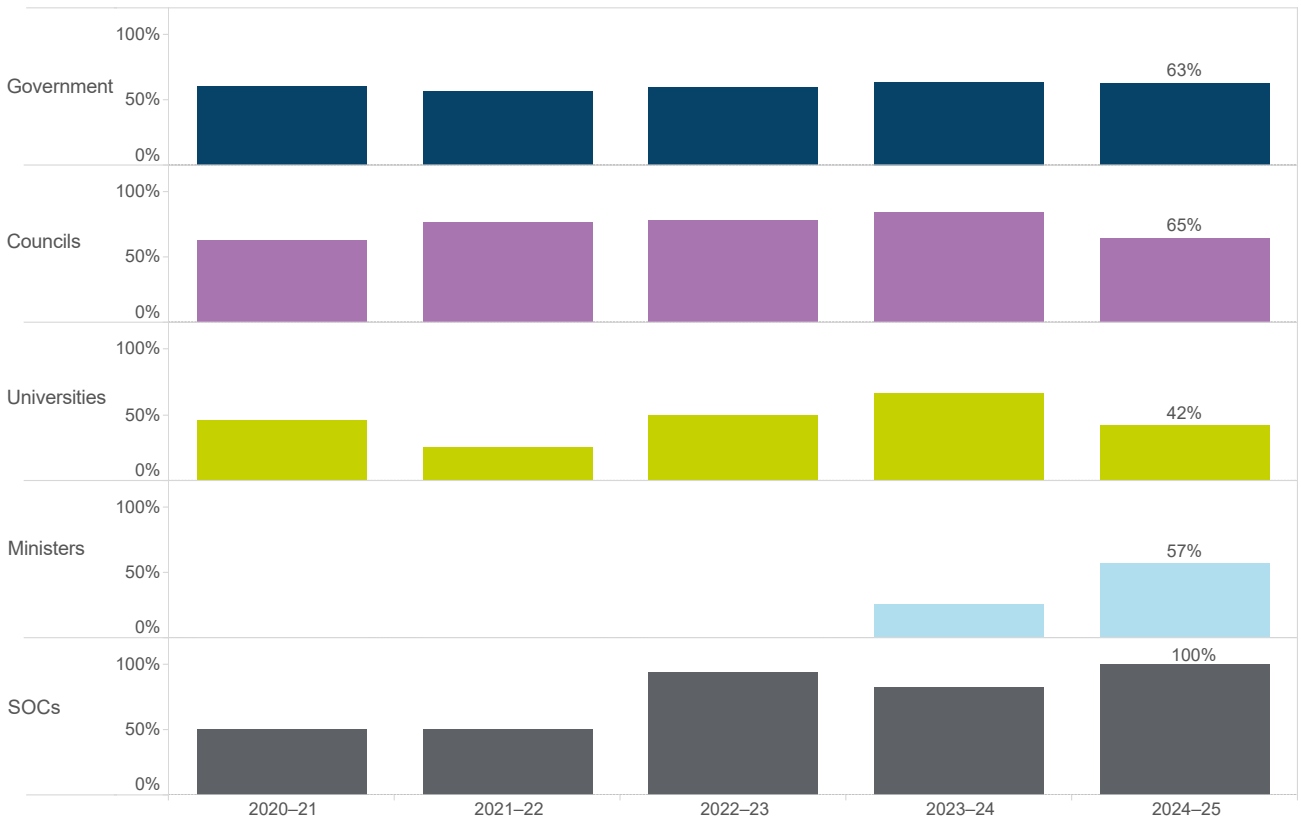


Figure 12: Invalid applications that became valid as a percentage of all invalid applications, by sector, 2020–21 to 2024–25

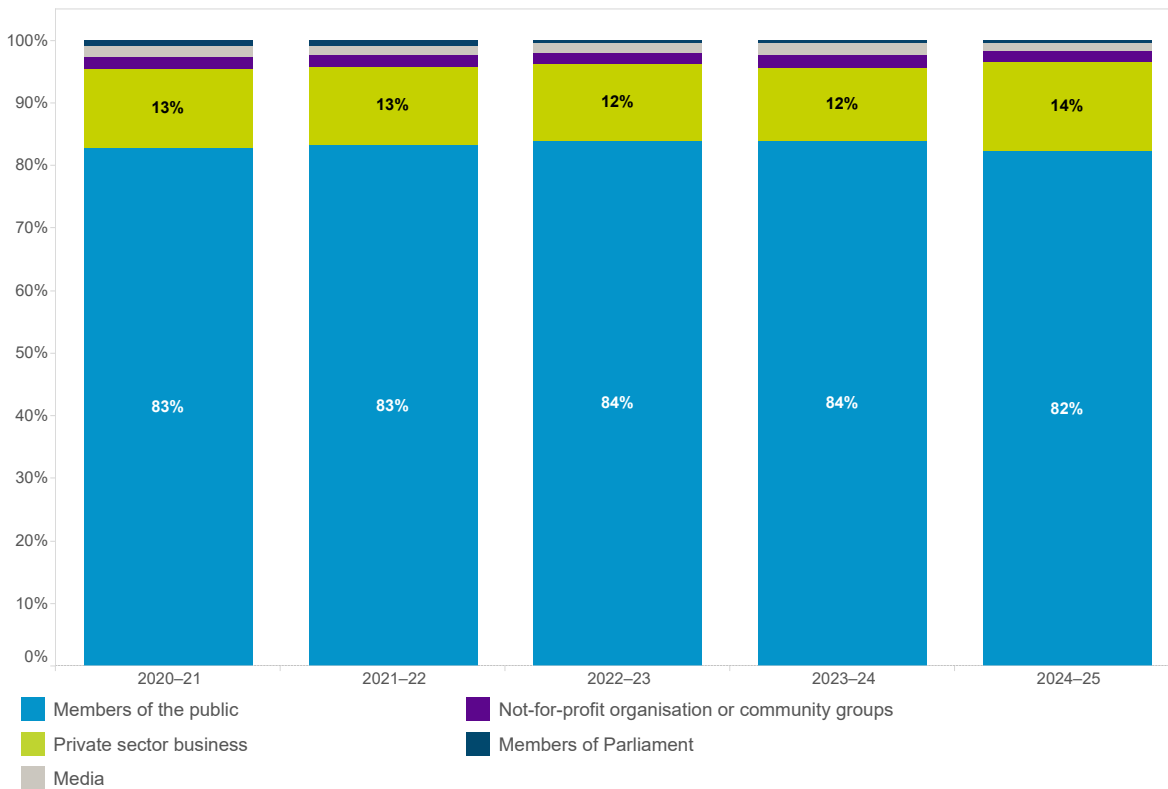


Who applied?

Members of the public continued to account for the highest number of outcomes

In 2024–25, 82% of all outcomes were related to applications from either a member of the public or their legal representative. This is consistent with the 84% reported in 2023–24. Within this group, the largest single applicant type (53%) continued to be members of the public represented legally.

Figure 13: Trend in the proportion of outcomes, by type of applicant, 2020–21 to 2024–25



What is an outcome?

The GIPA regime provides for a number of possible outcomes in relation to a formal access application. These are reported as:

- ‘access granted in full’ – where the applicant receives all of the information applied for
- ‘access granted in part’ – where the applicant receives some of the information applied for
- ‘access refused in full’ – where the applicant receives none of the information applied for because it is subject to an overriding public interest against disclosure
- ‘information not held’ – where an agency does not hold the information applied for
- ‘information already available’ – where an agency has determined that the information is already available to the applicant via other means
- ‘refuse to deal with the application’ – where an agency does not deal with an application in reliance on one of the reasons set out in section 60(1) of the GIPA Act
- ‘refuse to confirm or deny whether information is held’ – where there is an overriding public interest against disclosure of information confirming or denying that fact
- ‘application withdrawn’.

Outcomes for members of the public increased, while outcomes for media declined relative to the prior year

In 2024–25 (as in all years), the greatest number of outcomes was for applications by members of the public, increasing significantly by 16% from 25,014 in 2023–24 to 26,754 in 2024–25 (Figure 14).

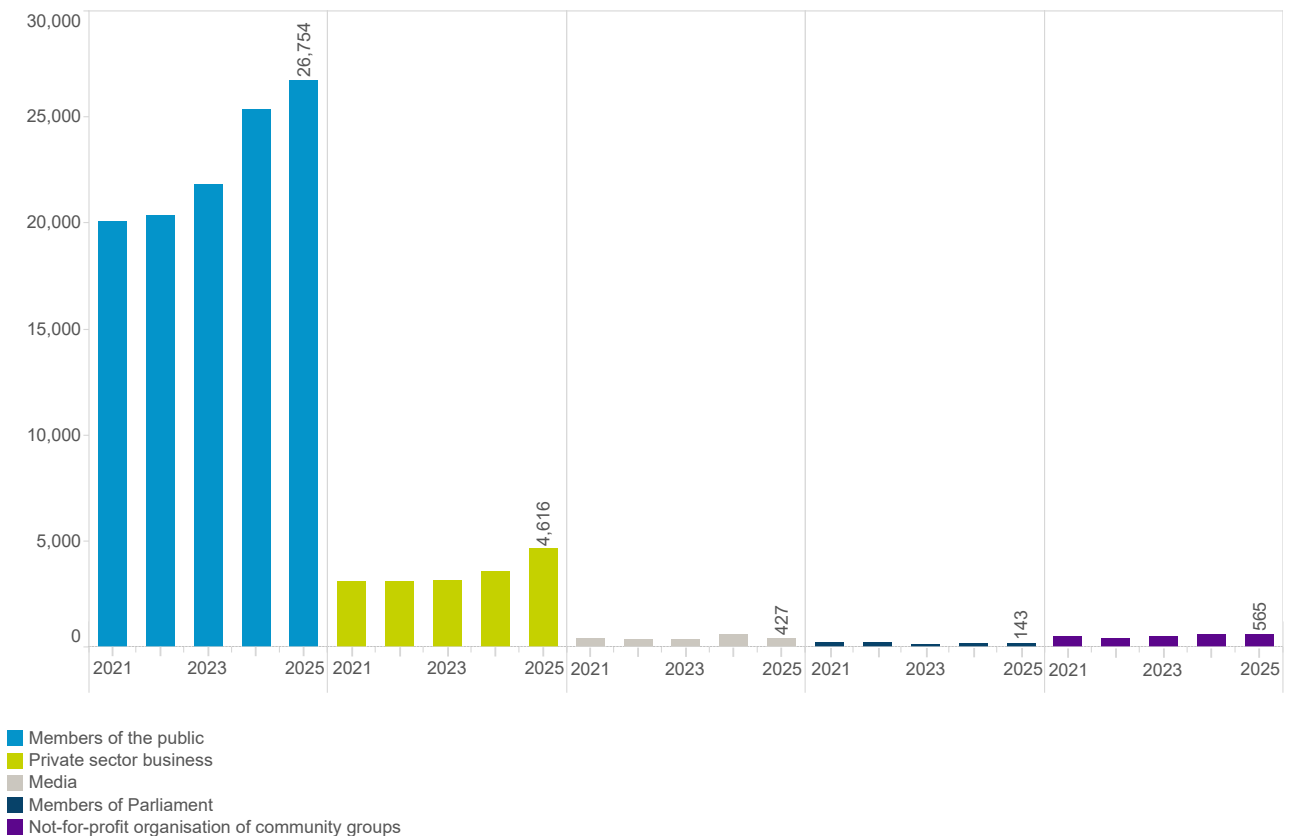
The number of outcomes for private sector businesses increased significantly (31%), from 3,509 in 2023–24 to 4,616 in 2024–25.

The number of outcomes for media significantly decreased by 25%, from 570 in 2023–24 to 427 in 2024–25.

Outcomes for Members of Parliament increased by 5%, from 136 in 2023–24, to 143 in 2024–25.

Outcomes for not-for-profit organisations or community groups increased by 5%, from 538 in 2023–24 to 565 in 2024–25.

Figure 14: Number of outcomes by type of applicant, 2020–21 to 2024–25



‘Who applied?’ is reported and measured by the requirement for agencies to report on the number of outcomes for applications by type of applicant. As an application can have multiple outcomes, the total number of outcomes reported in this section will usually be higher than the number of applications reported. This section draws on data from Table A of Schedule 2 to the GIPA Regulation.

There was a marked change in the distribution of applicant types in the Minister sector

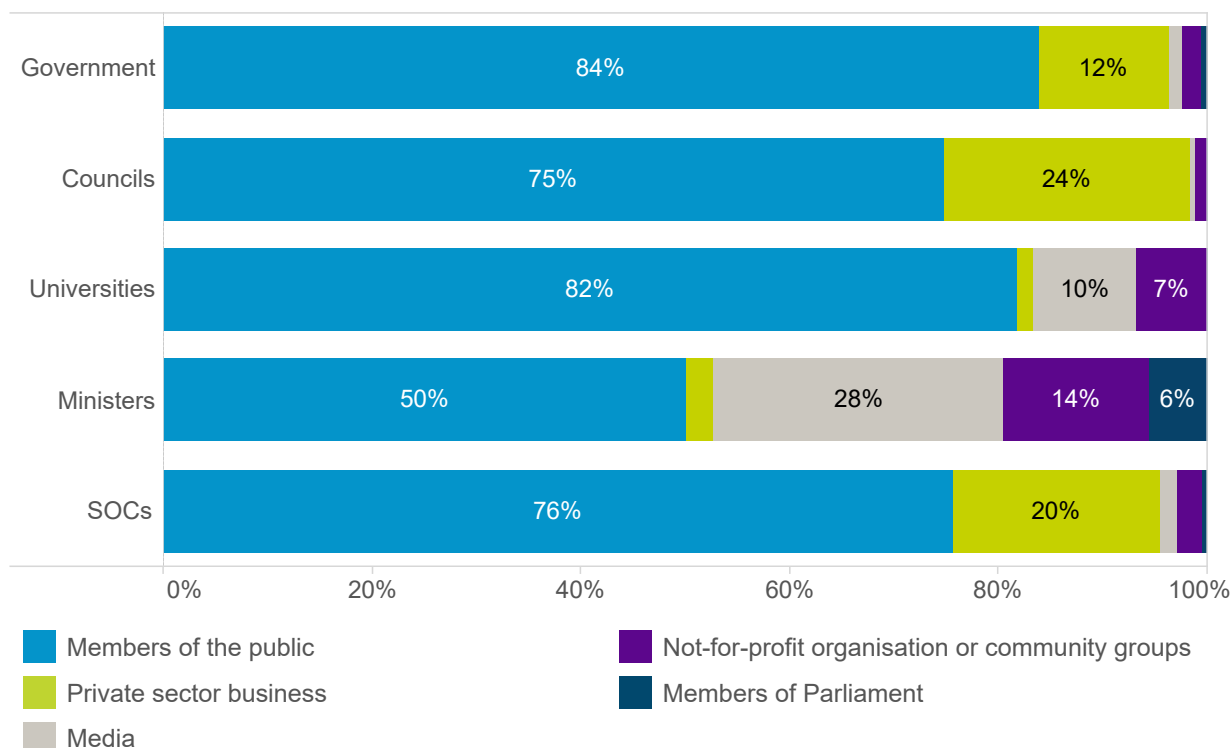
Similar to previous reporting periods, in 2024–25 the distribution of applicant types varied across sectors (Figure 15).

Notable changes by sector this reporting year were:

- In the Minister sector, outcomes were distributed across a wider mix of applicant types compared to other sectors.
 - There was a significant increase in outcomes for members of the public, which accounted for 50% of outcomes in 2024–25, compared to 30% in 2023–24.
 - Outcomes for media remained largely unchanged, with 28% in 2024–25, consistent with 27% in 2023–24.
 - Outcomes for not-for-profit organisations or community groups moderately increased to 14% in 2024–25, compared to 6% in 2023–24.
 - Outcomes for Members of Parliament decreased significantly, accounting for 6% of outcomes in 2024–25, down from 36% in 2023–24.

- In the State-Owned Corporations sector, outcomes continued to be predominantly for members of the public, with 76% reported in 2024–25, consistent with 80% in 2023–24. Private sector businesses accounted for 20% of outcomes in 2024–25, with smaller proportions recorded for media, not-for-profit organisations or community groups, and Members of Parliament.

Figure 15: Percentage of outcomes by sector and type of applicant, 2024–25



What information was asked for?

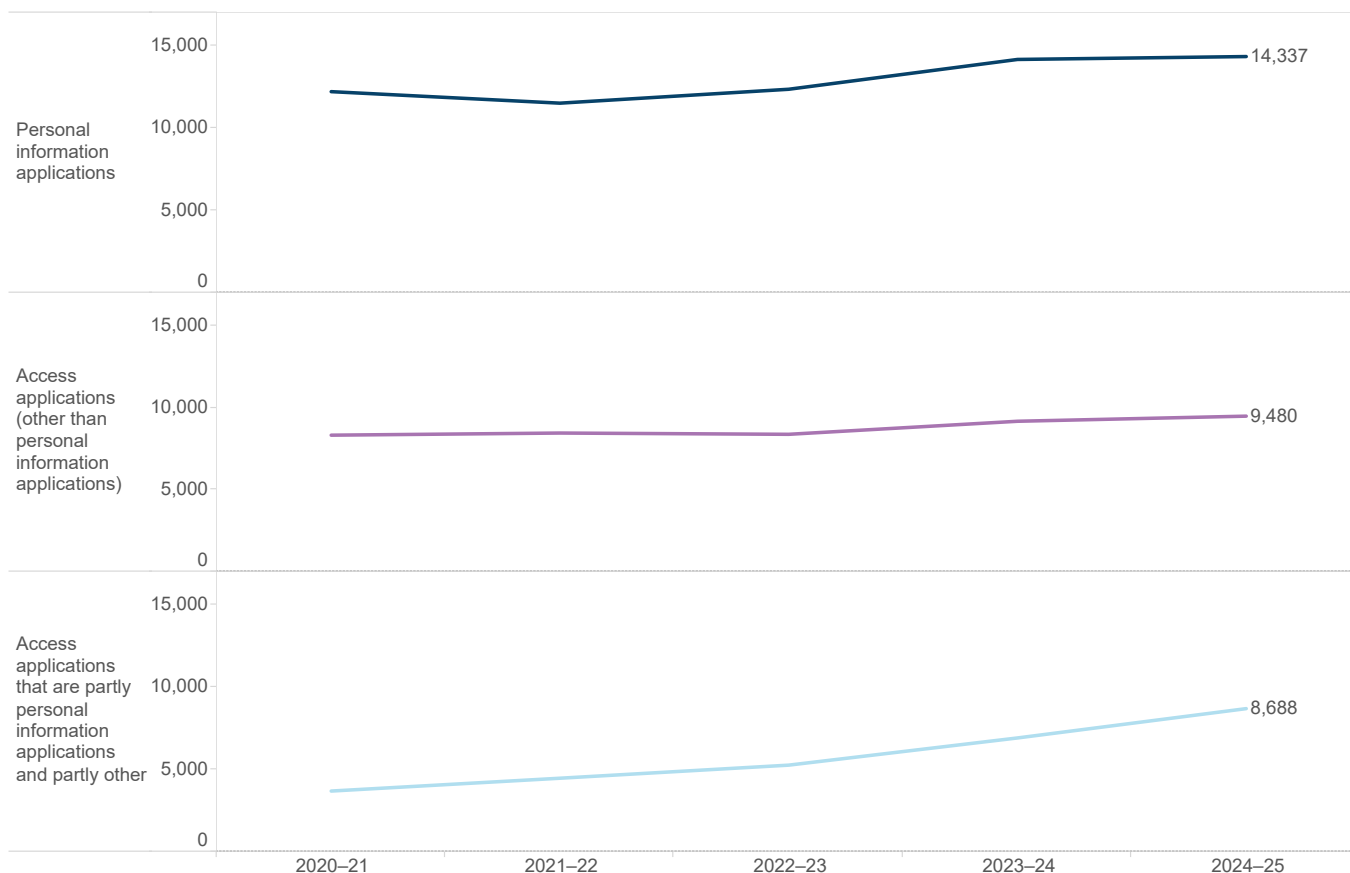
Outcomes for applications that sought partly personal and partly other information continued to increase significantly

As Figure 16 shows, in 2024–25:

- Application outcomes for partly personal information and partly other information increased significantly again in 2024–25, rising from 6,897 in 2023–24 to 8,688 in 2024–25. This continues the strong upward trend observed in previous years, resulting in a 141% increase from 2020–21 to 2024–25.

- Personal information application outcomes increased by 3% from the previous year, with 14,337 outcomes in 2024–25 compared to 13,855 outcomes in 2023–24.
- Outcomes for access applications that sought information other than personal information increased by 5% from the previous year, with 9,480 outcomes in 2024–25 compared to 9,017 outcomes in 2023–24.

Figure 16: Number of outcomes by type of information applied for, 2020–21 to 2024–25



The type of information sought varied across sectors

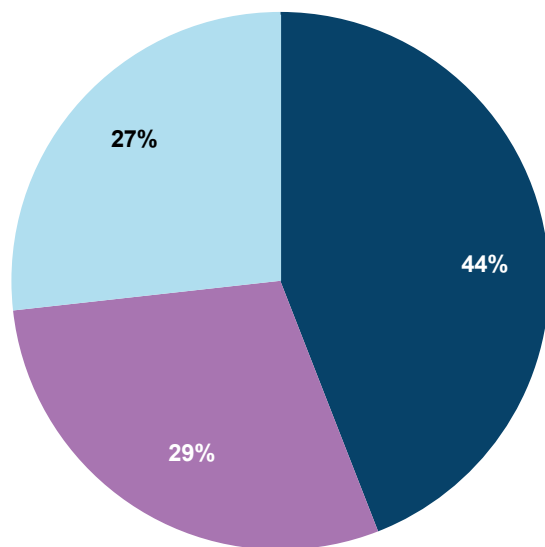
The percentage of outcomes remained consistent with the previous year.

In 2024–25:

- 44% of outcomes related to applications for personal information, compared to 47% in 2023–24.
- 29% of outcomes related to applications for ‘other than personal information’, compared to 30% in 2023–24.
- 27% of outcomes related to applications for both types of information, compared to 23% in 2023–24 (Figure 17).

All sectors experienced different patterns of outcomes by type of information applied for in 2024–25, however these patterns remained mostly consistent with those reported in 2023–24.

Figure 17: Outcomes by type of information applied for, 2024–25

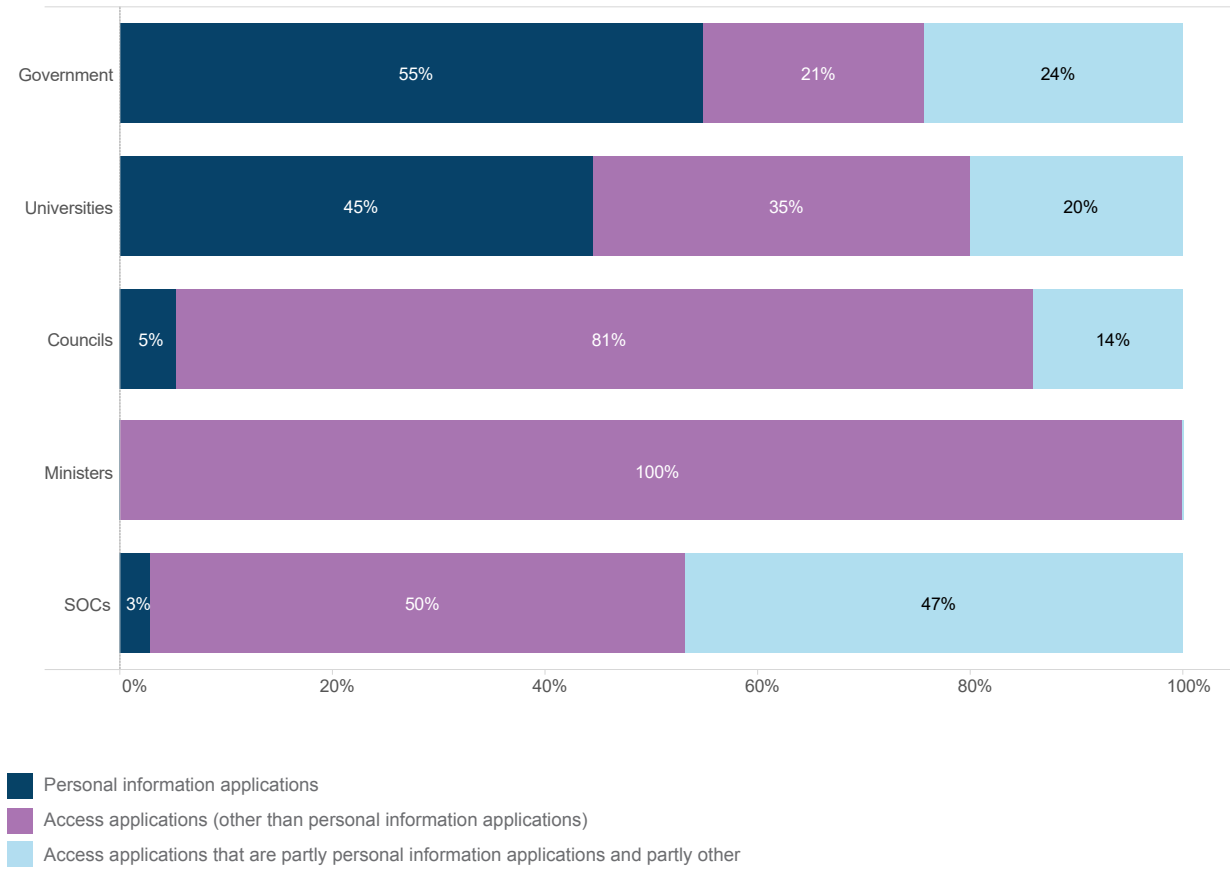


- Personal information applications
- Access applications (other than personal information applications)
- Access applications that are partly personal information applications and partly other

For 2024-25:

- In the Government sector, 55% of outcomes related to applications for personal information, consistent with 54% in 2023–24; 24% related to applications for ‘partly personal information and partly other information’, consistent with 25% in 2023–24; and 21% related to applications for ‘other than personal information’, consistent with 21% in 2023–24.
- In the University sector, 45% of outcomes related to applications for personal information, consistent with 45% in 2023–24; 20% related to applications that are ‘partly personal information and partly other information’, consistent with 20% in 2023–24; and 35% related to applications for ‘other than personal information’, consistent with 35% in 2023–24.
- In the Council sector, 5% of outcomes related to applications for personal information, consistent with 5% in 2023–24; 14% related to applications that were ‘partly personal information and partly other information’, consistent with 14% in 2023–24; and 81% of outcomes related to applications for ‘other than personal information’, consistent with 81% in the previous year.
- In the Minister sector, 100% of outcomes related to applications for ‘other than personal information’, consistent with 2023–24.
- In the State-Owned Corporations sector, 3% of outcomes related to applications for personal information, consistent with 8% in 2023–24; 47% related to applications for ‘partly personal information and partly other information’, consistent with 47% in 2023–24; and 50% of outcomes related to applications for ‘other than personal information’, consistent with 50% in 2023–24.

Figure 18: Percentage of all outcomes, by type of information applied for, 2024–25



‘What information was asked for?’ is reported and measured by the requirement for agencies to report on the number of outcomes for applications made for personal information, other than personal information, or a combination of both types of information from Table B, Schedule 2 to the GIPA Regulation.

Did applicants get what they asked for?

Overall 'release rates' stable

In 2024–25, the overall release rate was 64%, representing the combined 'access granted in full' and 'in part' outcomes (Figure 19). This has remained stable, with a rate of 64% also reported in 2023–24.

Compared to 2023–24, release rates for 2024–25 were mostly consistent across all sectors, except for a moderate increase in the Minister sector of 72% in 2024–25, up from 60% in 2023–24. The University sector had a release rate of 62%, similar to 66% in 2023–24.

At the sector level (Figure 20), in 2024–25, the State-Owned Corporations sector had the highest overall release rate of 80%, the rate of full and partial release remained stable and consistent with the 83% reported in 2024–24.

For the Council sector, 76% of outcomes granted access in full and in part in 2024–25. This is consistent with the 77% reported in 2023–24.

For the Government sector, 62% of outcomes resulted in access being granted in full and in part in 2024–25. This is consistent with the 61% reported in 2023–24.

For the University sector, 62% of outcomes resulted in access being granted in full and in part in 2024–25. This is consistent with the 66% reported in 2023–24.

Figure 19: Overall release rate across all sectors, 2020–21 to 2024–25

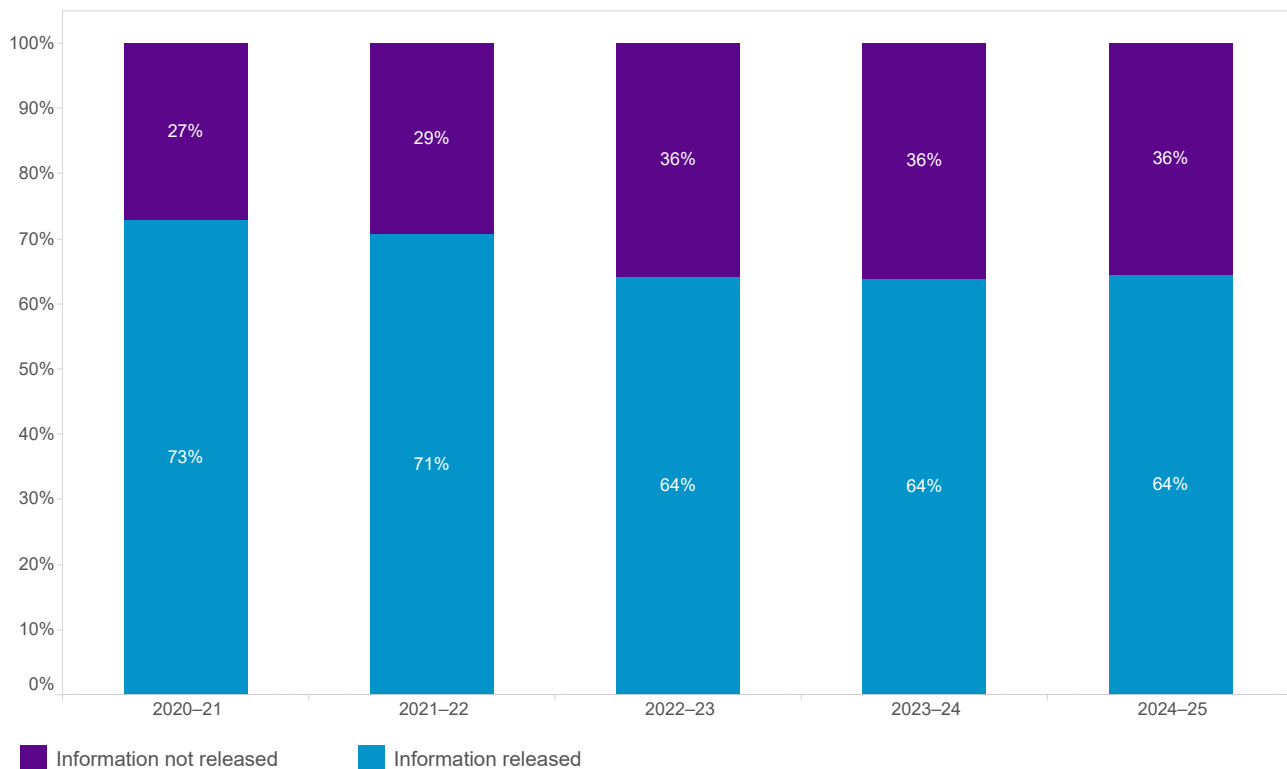


Figure 20: Overall release rate (access granted in full and in part), by sector, 2020–21 to 2024–25

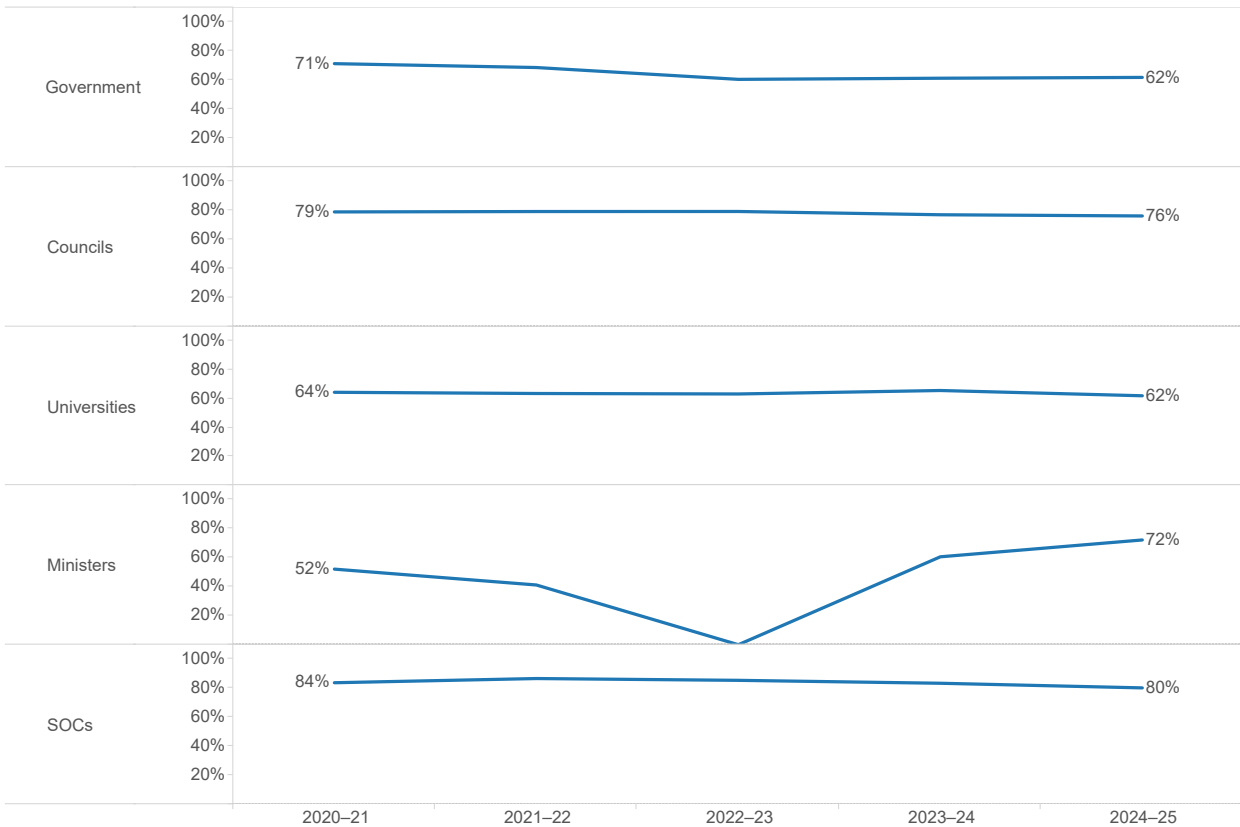
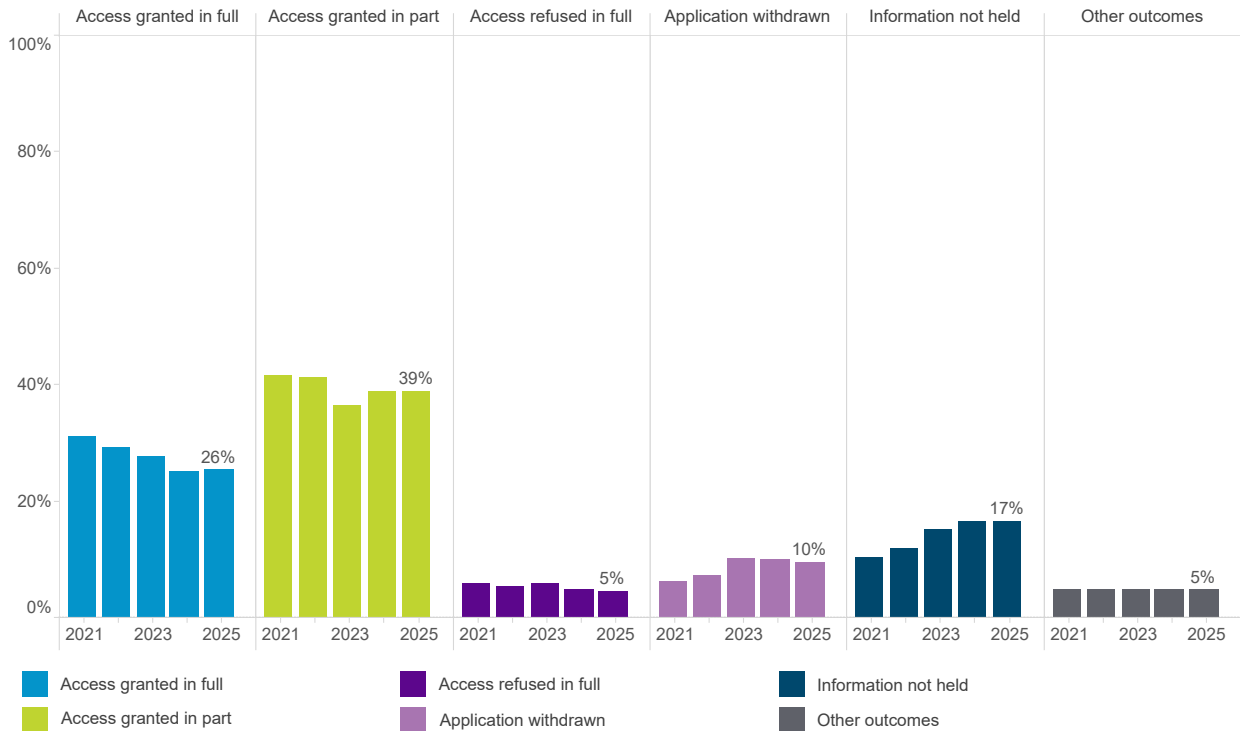
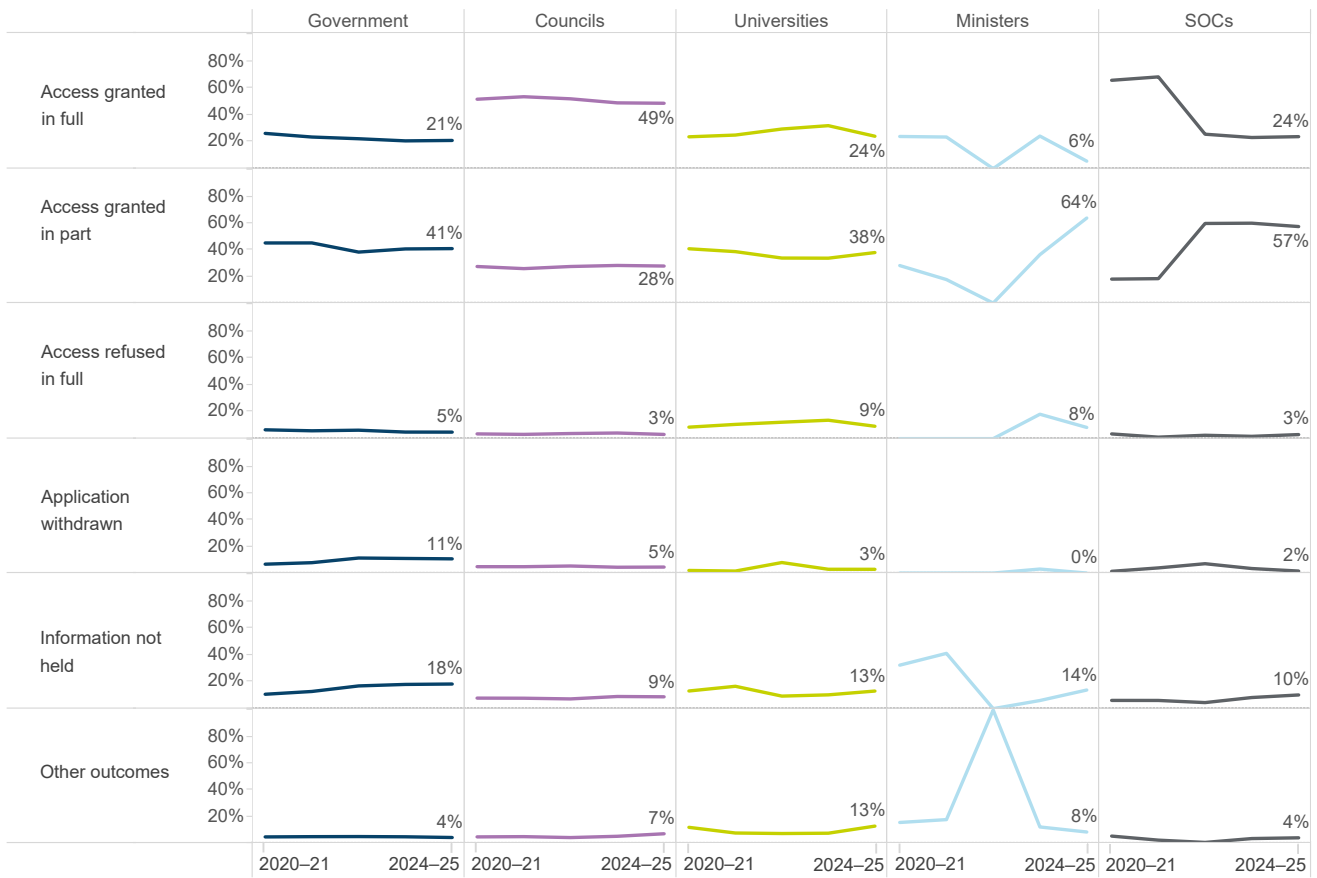


Figure 21: Release outcomes across all sectors, 2020–21 to 2024–25



‘Did applicants get what they asked for?’ is reported and measured by the requirement for agencies to report on the outcomes of applications for information by the type of applications (listed in Table A of Schedule 2 to the GIPA Regulation) and the type of information that is applied for (listed in Table B of Schedule 2 to the GIPA Regulation). The term ‘other outcomes’ refers to the following outcomes – information already available, refuse to deal with application, and refuse to confirm or deny whether information is held.

Figure 22: Release outcomes, by sector, 2020–21 to 2024–25



The overall release rate remained stable across information types

The overall release rate for applications for personal information was 64% in 2024–25, consistent with 61% in 2023–24 and 60% in 2022–23. This represents a moderate decline from 70% in 2021–22.

The overall release rate for ‘other than personal information’ was 65% in 2024–25, consistent with results over the previous reporting periods: 67% in 2023–24 and 68% in 2022–23. The overall release rate for applications that sought partly personal and partly other information was 65% in 2024–25, consistent with 65% in 2023–24 (Figure 23).

Release rates by applicant type remain stable

In 2024–25, the lowest overall release rate was for applications made by media industry representatives at 53%, compared to 49% in 2023–24. The overall release rate for Members of Parliament was 42%, a moderate decline from the 54% reported in 2023–24 (Figure 24).

The highest release rate in 2024–25 continued to be for applications made by private sector business at 71%, consistent with 74% in 2023–24 and 75% in 2022–23.

The release rate for members of the public was 66%, consistent with 63% reported in 2023–24.

Not-for-profit organisations or community groups also experienced a similar release rate 64% in 2024–25, compared to 69% in 2023–24.

In 2024–25, there were no significant fluctuations in outcomes across applicant types. Most outcome percentages remained relatively stable from 2020–21 to 2024–25, with only minor year to year movements of a few percentage points. The release rate for access granted in part for applications made by not-for-profit organisations and community groups remained consistent at 38% in 2023–24, compared to 37% in 2024–25.

Figure 23: Release outcomes by application type, 2020–21 to 2024–25

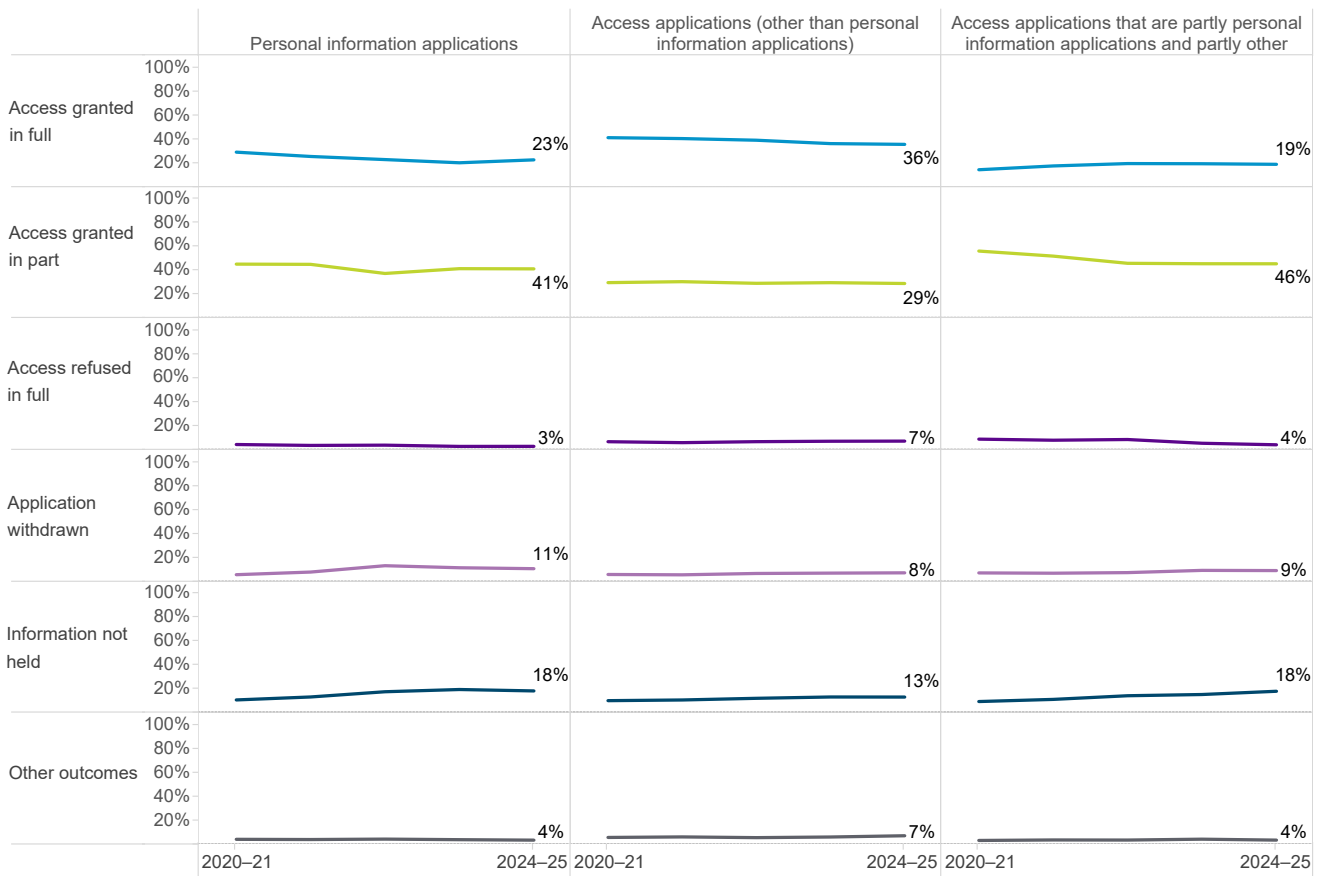
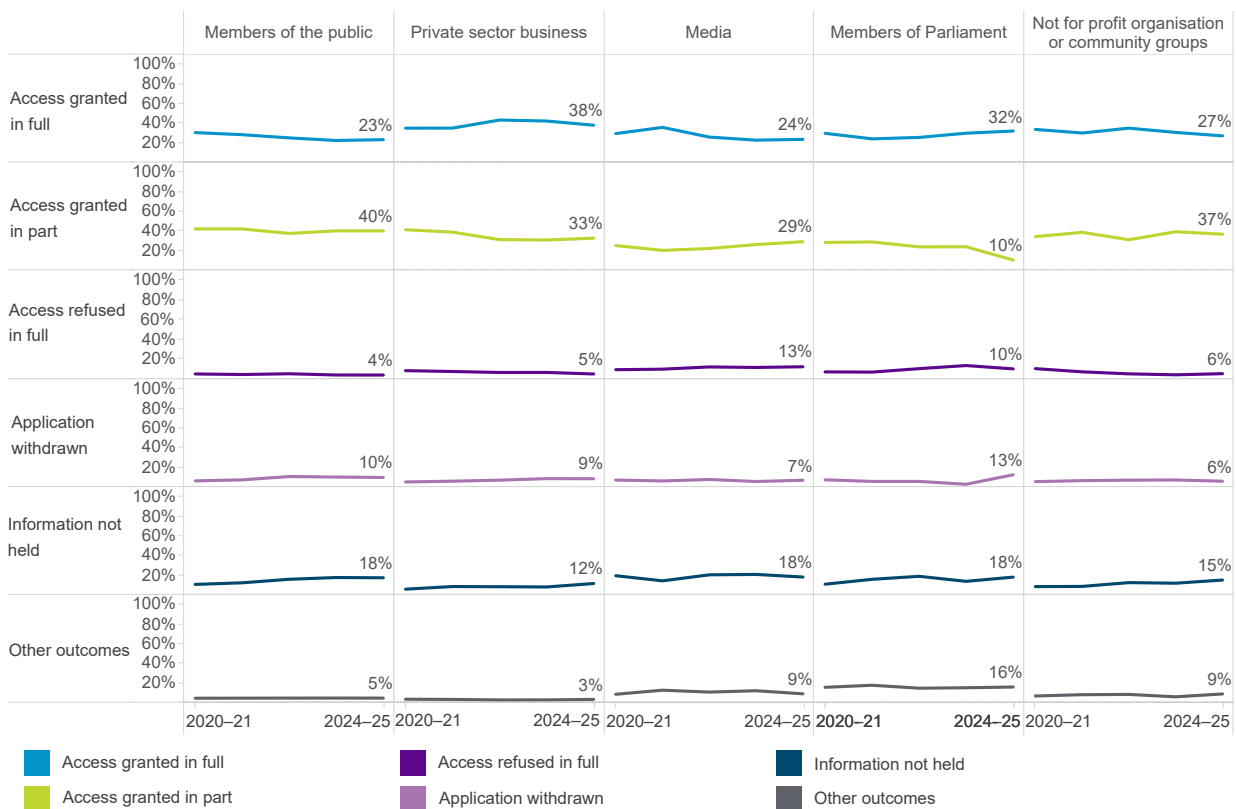


Figure 24: Outcomes by applicant type, 2020–21 to 2024–25



■ Access granted in full
 ■ Access refused in full
 ■ Information not held
■ Access granted in part
 ■ Application withdrawn
 ■ Other outcomes

How quickly were decisions made?

Overall timeliness of decisions has remained stable

In 2024–25, 90% of decisions by agencies were made within the statutory timeframe (Figure 25). This result is consistent with 88% in 2023–24 and 88% in 2022–23.

The number of applications decided after 35 days by agreement with the applicant was 7% in 2024–25, consistent with 6% in 2023–24.

The rate of deemed refusals was 3%, consistent with the 6% reported in 2023–24 and 2022–23.

Timeliness has moderately increased across most sectors

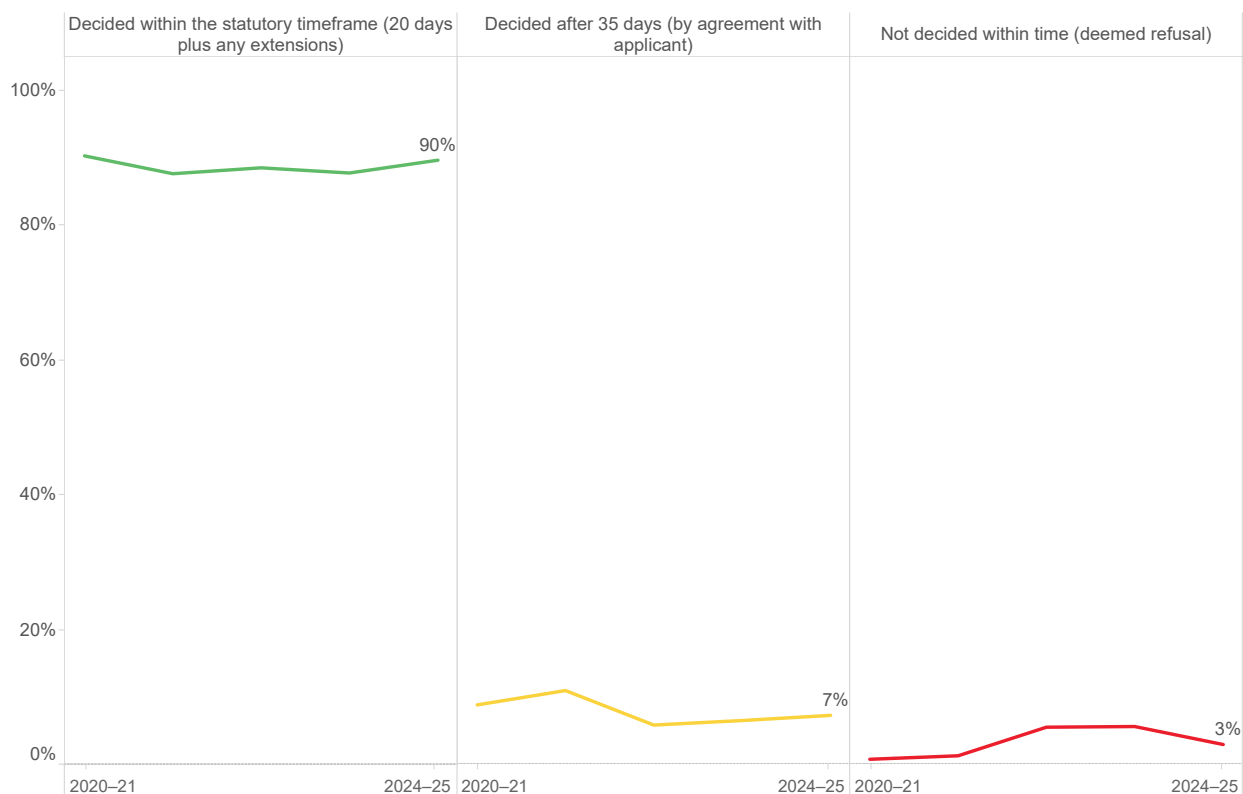
In 2024–25 (Figure 26):

- The Government sector decided 89% of applications within the statutory timeframe, consistent with 87% reported in 2023–24.
- The Council sector decided 91% of applications within the statutory timeframe, consistent with the 92% reported in 2023–24.

- The University sector decided 80% of applications within the statutory timeframe, reflecting a decrease from 87% in 2023–24 and remaining stable at 80% since 2022–23.
- The Minister sector experienced a significant decrease in 2024–25, with 67% of applications decided within the statutory timeframe, compared to 86% in 2023–24.
- The State-Owned Corporations sector decided 92% of applications within the statutory timeframe, consistent with 95% reported in 2023–24 and a moderate increase from 83% in 2022–23.

Timeliness reported for most principal departments was consistent with the previous reporting period, while the Department of Communities and Justice had a moderate improvement in timeliness, increasing from 31% in 2023–24 to 44% in 2024–25. Transport for NSW continued to perform strongly, maintaining 100% timeliness.

Figure 25: Applications that were decided within the statutory time frame as a percentage of all applications decided, 2020–21 to 2024–25



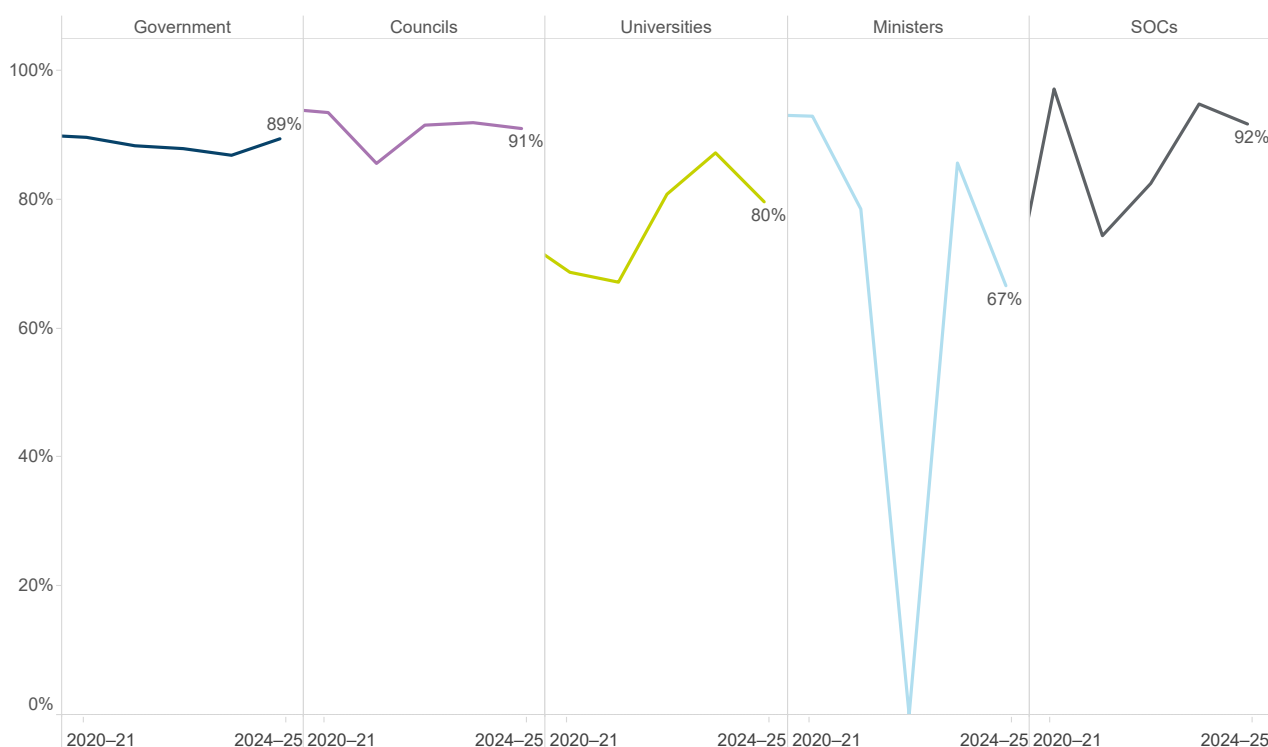
What are the statutory timeframes?

Agencies are required to report on timeliness against the three categories prescribed in Table F of the GIPA Regulation:

- Decided within the statutory timeframe (20 days plus any extensions)
- Decided after 35 days (by agreement with applicant)
- Not decided within time (deemed refusal)

These reporting categories reflect the requirements of the GIPA Regulation. Importantly, the categories accommodate agencies' engagement with applicants and agreement to extend time with consent. In the context of digital government and the availability of digital solutions for supporting access to information, any rise in extensions of time should be carefully considered by agencies to ensure their processes remain aligned to the transparency objectives of the GIPA Act.

Figure 26: Applications that were decided within the statutory timeframe, by sector, as a percentage of all applications decided, by sector, 2020–21 to 2024–25



While decision-making timeframes continue to improve across most sectors, the IPC continues to receive complaints about decision-making timeframes. The IPC has published guidance to assist agencies in understanding how the decision period is calculated, as well as how and when extensions may be sought. Agencies are encouraged to review their internal processes for opportunities to create efficiencies and improve decision-making timeframes.

'How quickly were decisions made?' is reported and measured by the requirement for agencies to report on how quickly they dealt with access applications that they received. The data used in this section draws on Table F, Schedule 2 to the GIPA Regulation.

Issue Highlight: Compliance with statutory timeframes and procedural obligations under the GIPA Act

In March 2025, the IPC finalised an investigation into a complaint concerning Central Coast Council's handling of a formal access application under the GIPA Act. The complaint arose from a request made by a resident seeking access to information held by the Council. The IPC found the complaint to be justified in full.

The investigation identified multiple procedural failures in the Council's handling of the access application. In particular, the IPC found that the Council failed to respond to the application within the statutory timeframes prescribed by the GIPA Act and did not adequately communicate with the applicant over an extended period. The IPC also identified instances where service requests associated with the application were closed without contacting the applicant.

The IPC determined that these failures constituted a breach of the Council's obligations under the GIPA Act, including its obligation to deal with access applications efficiently, promptly and in good faith. The investigation addressed six issues arising from the complaint, all of which were resolved in favour of the complainant.

As part of the outcome of the investigation, the IPC made recommendations aimed at improving the Council's future compliance with the GIPA Act. These included recommendations that the Council provide additional training for staff involved in processing access applications and update internal policies and procedures relating to public communications and request handling.

The Council acknowledged the issues identified by the IPC, apologised to the applicant and indicated that the matter would be used as a learning opportunity to strengthen internal processes and staff capability.

This matter highlights the importance of agencies maintaining robust systems, clear internal processes and adequate staff training to ensure compliance with the procedural requirements of the GIPA Act, particularly in relation to statutory timeframes, record-keeping and communication with applicants.

How was the public interest test applied?

This section examines:

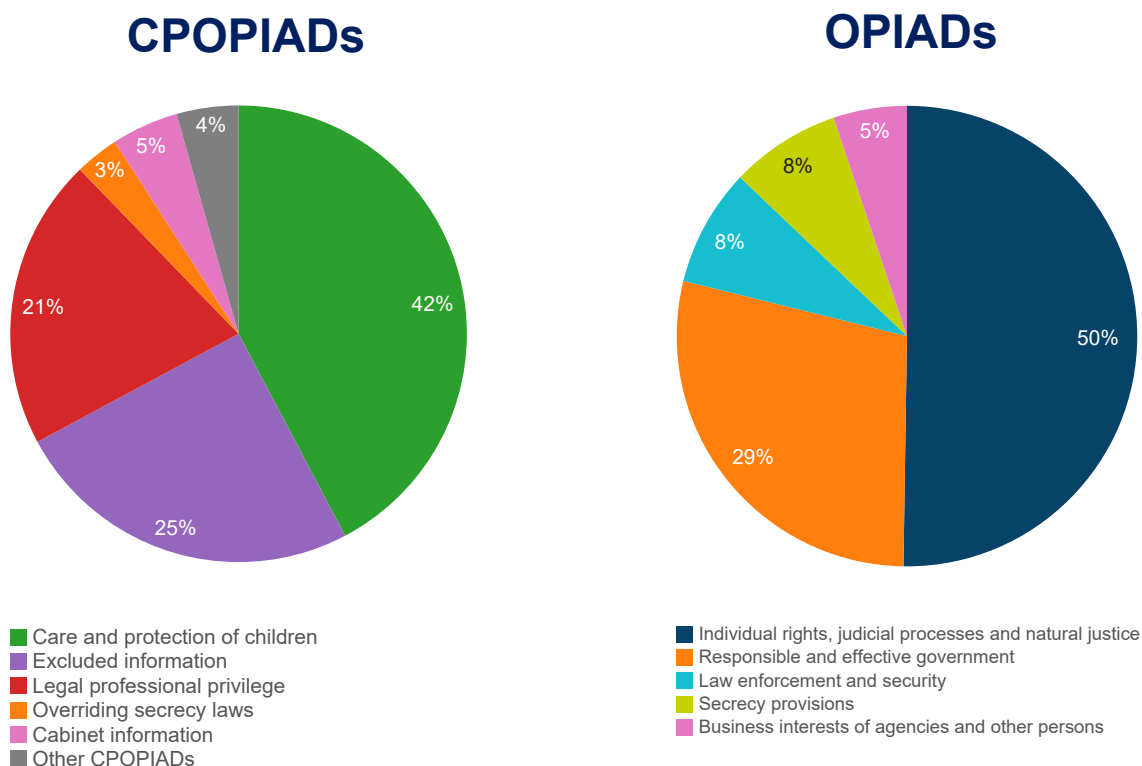
- the number of applications that were refused because of a conclusive presumption of an overriding public interest against disclosure (CPOPIAD)
- which categories of CPOPIADs were relied on
- the reliance on categories of considerations for which there is an overriding public interest against disclosure of information (OPIAD).

More than one CPOPIAD and OPIAD may be raised in respect of an application. Each consideration is recorded only once per application.

A similar number of applications were refused because of a CPOPIAD

In 2024–25, 1,835 applications (6% of total applications received) were refused wholly or partly because of a CPOPIAD. This is consistent with the figures in 2023–24: 2,245 applications (7% of total applications received).

Figure 27: A snapshot of the reliance on CPOPIADs and OPIADs, 2024–25



'How was the public interest test applied?' is reported in Tables D and E of Schedule 2 to the GIPA Regulation.

Care and protection of children was the most raised CPOPIAD

In 2024–25, the care and protection of children was the most relied on CPOPIAD across all sectors (Figure 27). It accounted for 42% of all instances where CPOPIADs were raised, consistent with 40% in 2023–24.

The excluded information consideration was the second most relied on CPOPIAD, in 25% of cases, consistent with 22% in 2023–24.

The legal professional privilege consideration was the third most relied on CPOPIAD, accounting for 21% of all the applications, consistent with 20% in 2023–24.

The use of the Cabinet information consideration was relied on in 5% of cases in 2024–25; consistent with 4% in 2023–24.

Reliance on the legal professional privilege CPOPIAD remained consistent in the University sector, showed moderate increases in State-Owned Corporations sector and significant increases in the Council sector

The most relied on CPOPIAD across the University and State-Owned Corporations sectors in 2024–25 was legal professional privilege, accounting for 100% of applications in both sectors (Figure 29).

The University sector remains unchanged at 100% in both 2023–24 and 2024–25, while the State-Owned Corporations sector recorded a moderate increase from 86% in 2023–24 to 100% in 2024–25.

The claim of the legal professional privilege CPOPIAD significantly increased in the Council sector from 31% in 2023–24 to 82% in 2024–25. In contrast, the reliance on this CPOPIAD remained consistent in the Government sector, with a slight decrease from 18% in 2023–24 to 16% in 2024–25.

The Department of Communities and Justice primarily raised the care and protection of children CPOPIAD. The NSW Police Force was the main agency that relied on the excluded information CPOPIAD, while the Department of Education was the primary agency that relied on the legal professional privilege CPOPIAD.

Figure 28: Percentage distribution of the reliance on CPOPIADs, 2020–21 to 2024–25

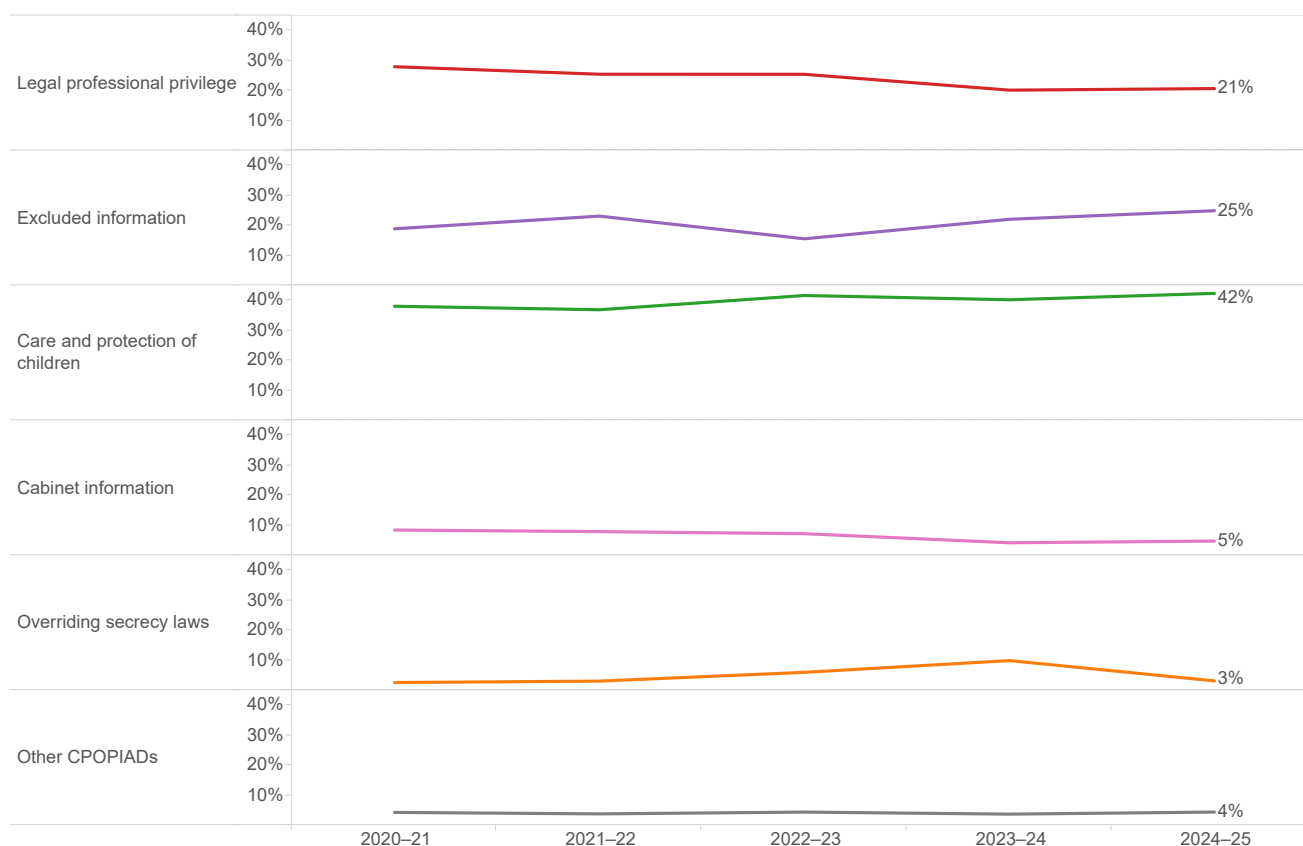


Figure 29: Percentage distribution of CPOPIADs raised, by sector, 2020–21 to 2024–25



Individual rights, judicial processes and natural justice was the most raised OPIAD

Consistent with the last five years, the most frequently raised OPIAD in 2024–25 was individual rights, judicial processes and natural justice (rights and justice OPIAD). This year, it was the most claimed OPIAD for all sectors (Figure 30). Reliance on this OPIAD is consistent with all previous years since 2020–21.

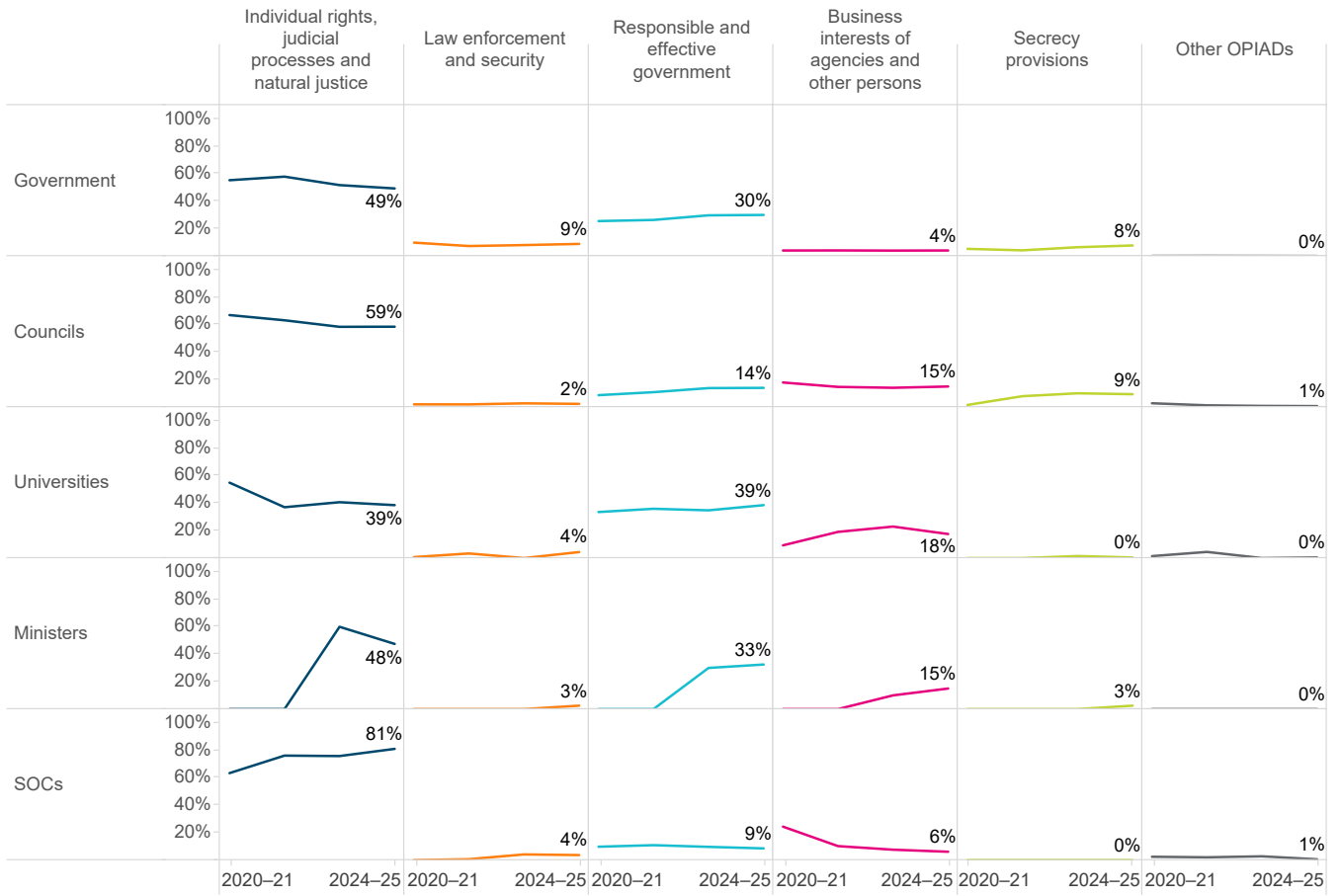
The rights and justice OPIAD was claimed on 81% of occasions in the State-Owned Corporations sector, 48% in the Minister sector, 59% in the Council sector, 49% in the Government sector, and 39% in the University sector.

These patterns mostly remained consistent with those reported in 2023–24, except the Minister sector. The Minister sector saw a moderate decrease from 60% in 2023–24, compared to 48% in 2024–25. There was a similar increase in reliance on the rights and justice OPIAD in the State-Owned Corporations sector from 76% in 2023–24 to 81% in 2024–25.

For agencies that received more than 40 applications, the rights and justice OPIAD was most often considered and raised by both the SAS Trustee Corporation and Sydney Water Corporation, each applying it 100% of the time.

This category of OPIAD contains a broad range of specific considerations, from personal information and privacy through to court proceedings, a fair trial, and unsubstantiated allegations. Therefore the claim of this OPIAD by agencies could have been related to any of these specific considerations in this category.

Figure 30: Percentage distribution of OPIADS raised, by sector, 2020–21 to 2024–25



How were decisions reviewed?

The right of review can be exercised by the original information access applicant or by third parties, where information about or concerning them is the subject of the application

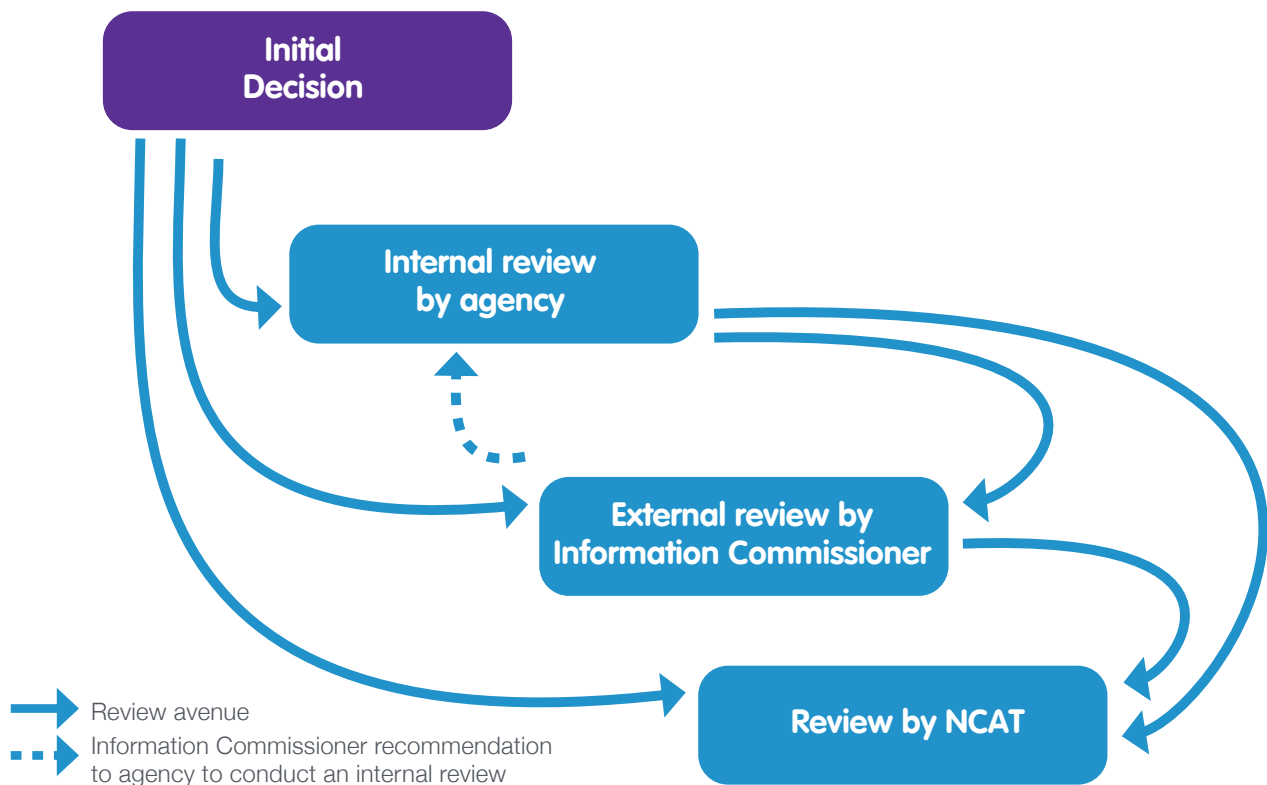
This section reports on the:

- number of reviews as a percentage of the number of relevant applications – a ‘review rate’
- number of reviews by type of review
- composition of reviews by type of review.

The distribution of reviews across all review avenues as reported by agencies is shown in Figure 33. If the most reliable source for each review avenue is used to calculate the total number of reviews, a total of 1,060 reviews were conducted in 2024–25. This result significantly increased from the 885 reviews conducted in 2023–24.

As shown in Figure 32, this is a significantly higher number of reviews than reported by agencies (926), particularly in respect of external reviews by the Information Commissioner and external reviews by NCAT. The distribution of reviews using the best available data is shown in Figure 34.

Figure 31 shows the different pathways available for reviews in the GIPA Act



‘How were decisions reviewed?’ is reported and measured by the requirement for agencies to report on the number of applications reviewed under Part 5 of the GIPA Act in Tables G and H of Schedule 2 to the GIPA Regulation.

Figure 32: Agency, IPC and NCAT data on internal and external reviews, 2024–25

Review type	A: Agency reported data for all reviews closed	B: Using agency, IPC and NCAT data on reviews closed
Agency internal review of initial decision	444	445
External review by the Information Commissioner	285	400
Review by NCAT	109	148
Agency internal review/reconsideration following a recommendation by the Information Commissioner	88	88
Total	926	1,081

Figure 33: Distribution of review by type, as reported by agencies, 2024–25

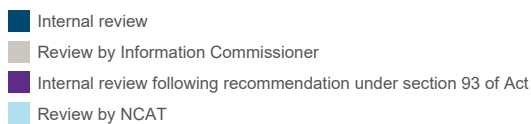
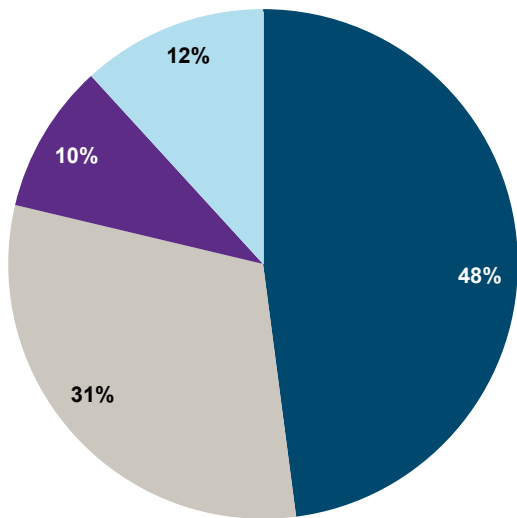
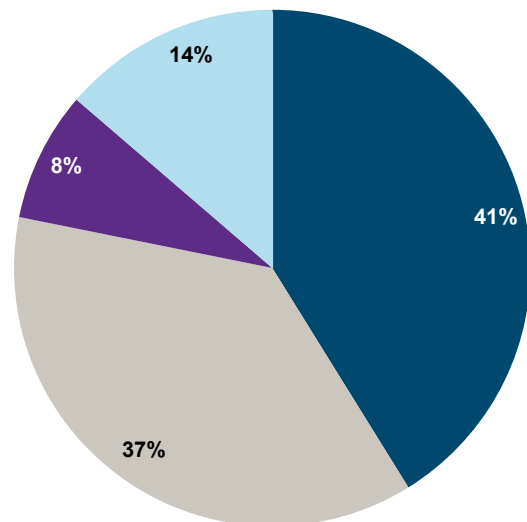


Figure 34: Distribution of review by type, using agency, IPC and NCAT data, 2024–25



Source: Agency, IPC and NCAT data. Note this data applies to cases reported as closed in the year.

The completion of reviews during this reporting period that were received in the previous financial year may have contributed to the under-reporting of external reviews by agencies in the prior year.

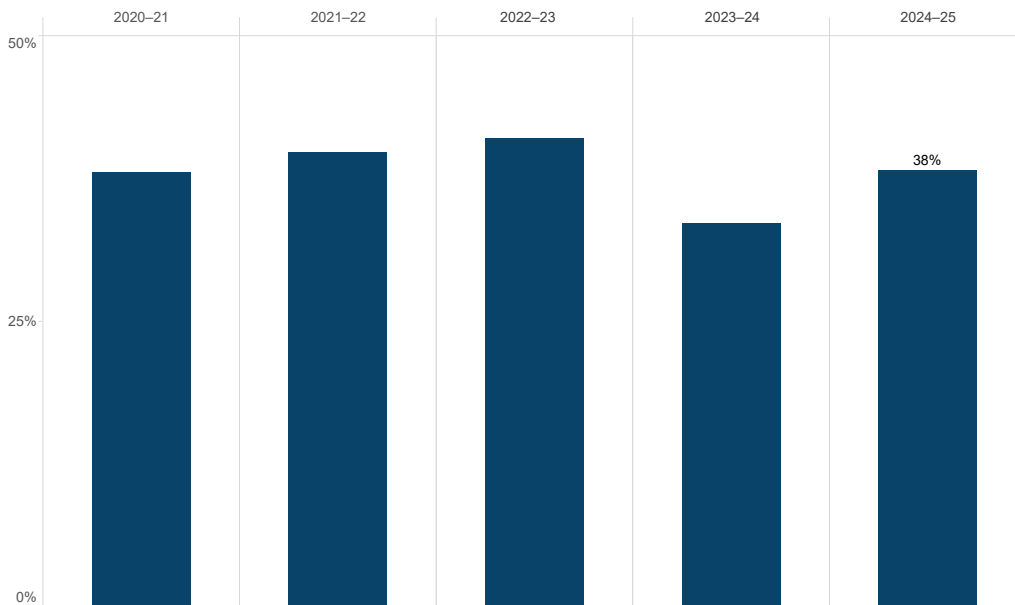
Using IPC internal data, the number of external reviews conducted by the Information Commissioner significantly increased in 2024–25, with 379 reviews, compared to 297 reviews in 2023–24.

External reviews by the Information Commissioner as a proportion of all reviews conducted remained consistent

Using IPC data, external reviews by the Information Commissioner accounted for 38% of all reviews conducted, similar to 34% in 2023–24 (Figure 35).

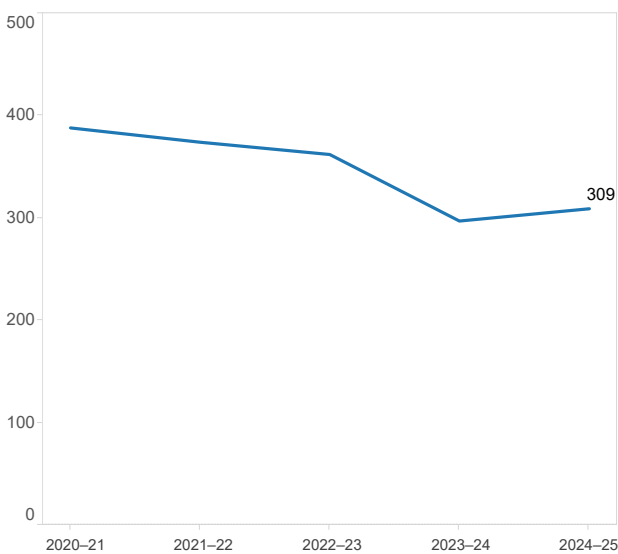
The review pathway most frequently used remains external review by the Information Commissioner.

Figure 35: External reviews by the Information Commissioner as a percentage of all reviews, 2020–21 to 2024–25



Source: agency, NCAT and IPC data

Figure 36: Number of external reviews conducted by the Information Commissioner, 2020–21 to 2024–25



Source: IPC data

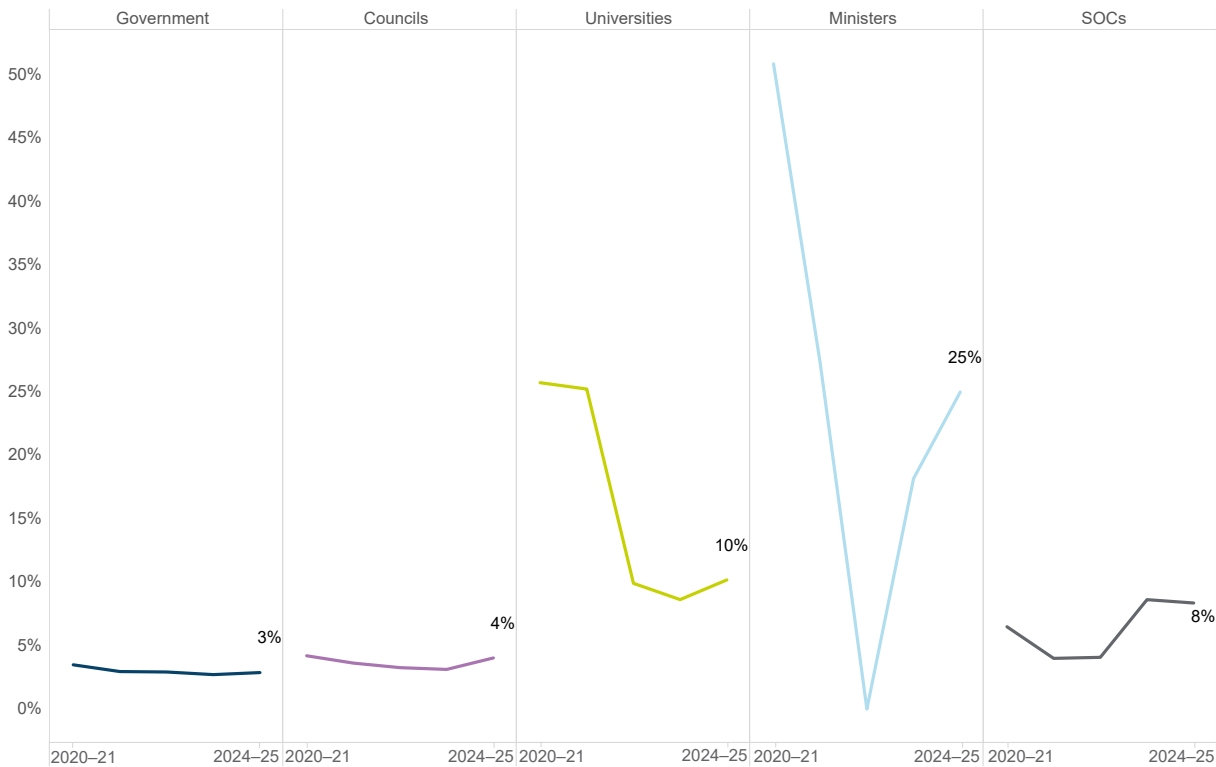
Review rates have remained stable in most sectors

The percentage of applications for review received by the Government sector, as a percentage of all applications in that sector, remained stable at 3% in 2024–25, consistent with 3% in 2023–24. The Council (4%), State-Owned Corporations (8%) and University (10%) sectors also remained stable (Figure 37).

The percentage of applications for review received by the Minister sector increased moderately to 25% in 2024–25, compared to 18% in 2023–24.

These trends will remain under observation by the IPC to identify any appropriate sector-specific regulatory response.

Figure 37: Total number of reviews, as a percentage of all applications received, by sector, 2020–21 to 2024–25



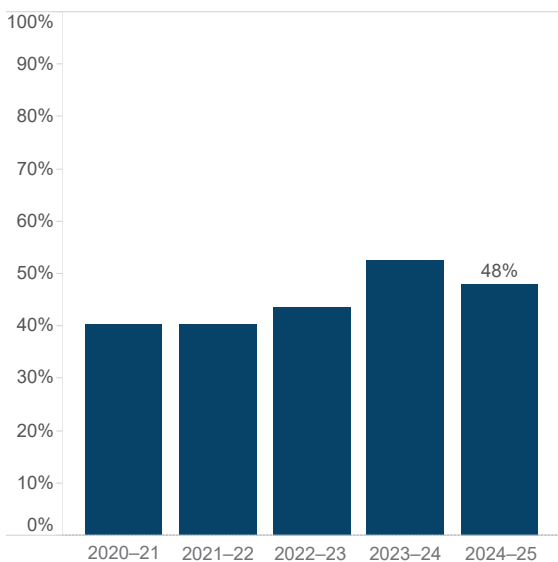
Source: agency data

The majority of applications for review were made by the original applicant for information

In 2024–25, 88% of applications for review were made by the original applicant, rather than a third party objector. This represents a moderate decrease from 2023–24, when 94% of applications for review were made by the original applicant.

The number of applications made by third party objectors was 12% in 2024–25, representing a moderate increase from 6% in 2023–24.

Figure 38: Internal review as a percentage of all reviews, 2020–21 to 2024–25



Source: agency data

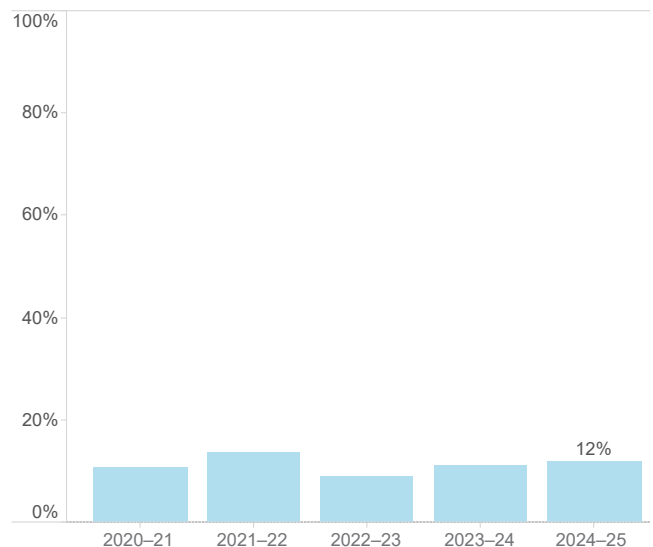
Internal reviews as a percentage of all reviews conducted remained similar

Internal reviews represented 48% of all reviews conducted in 2024–25, which is similar to 52% of all reviews conducted in 2023–24 (Figure 38).

Reviews by NCAT remained stable

Using data reported by agencies, reviews by NCAT represented 12% of all reviews conducted in 2024–25 (Figure 39). This is consistent with the previous year (11%).

Figure 39: NCAT reviews as a percentage of all reviews, 2020–21 to 2024–25

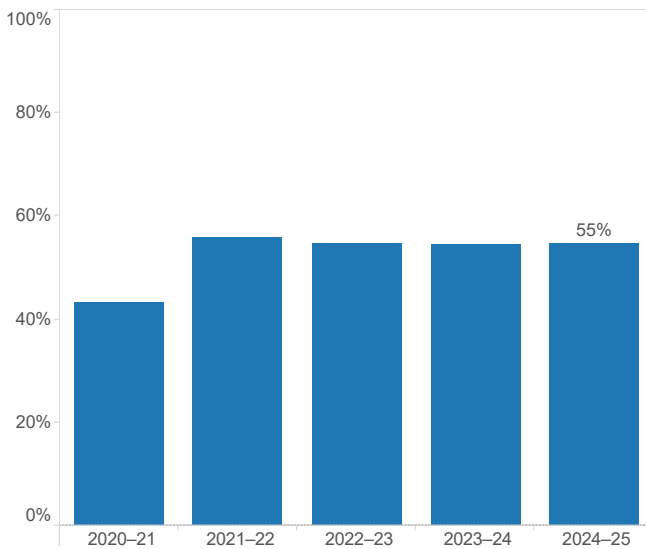


Source: agency data

The balance between decisions upheld and overturned on review was unchanged

In 2024–25, 55% of all internal and external reviews conducted upheld agencies' original decisions. This is unchanged from 55% in 2023–24 (Figure 40).

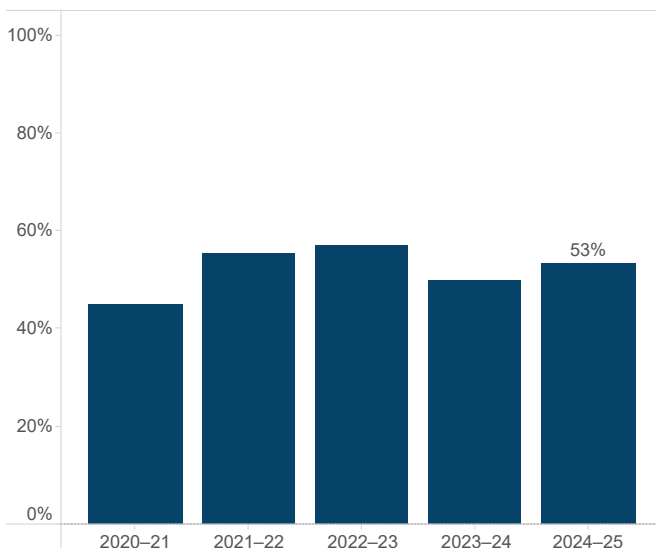
Figure 40: Percentage of all reviews that upheld the original decision, 2020–21 to 2024–25



Internal reviews were equally balanced between upholding and overturning the original decisions

In 2024–25, 53% of all internal reviews upheld agencies' original decisions, which is consistent with the 50% reported in 2023–24 (Figure 41).

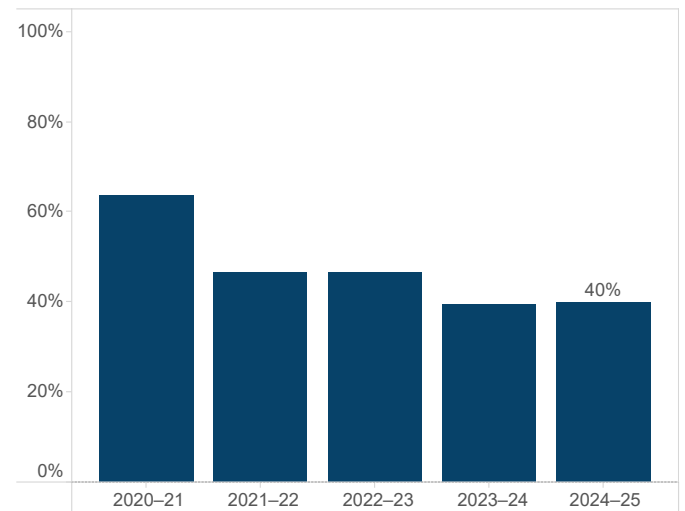
Figure 41: Internal reviews where the decision was upheld as a percentage of all internal reviews, 2020–21 to 2024–25



Reviews by the Information Commissioner that recommended agencies reconsider their decision has remained consistent

In 2024–25, agencies reported that 40% of reviews by the Information Commissioner recommended that agencies reconsider their decisions. This is similar to 39% reported in 2023–24, representing a moderate decline from 46% reported in 2022–23 and 47% 2021–22 (Figure 42).

Figure 42: Reviews by the Information Commissioner where there was a recommendation to reconsider the decision as a percentage of all reviews by the Information Commissioner, 2020–21 to 2024–25

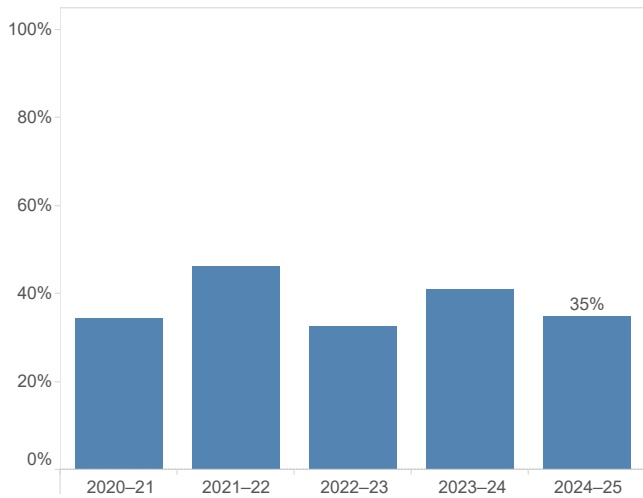


Internal reviews following a section 93 recommendation by the Information Commissioner which upheld the original decision decreased

In 2024–25, agencies reported that 35% of internal reviews that followed a section 93 GIPA Act recommendation (a recommendation from the Information Commissioner that the agency reconsider its decision) arrived at the same decision as the original decision. This represents a moderate decrease from the 42% reported in 2023–24 (Figure 43).

A section 93 recommendation does not necessarily indicate the agency's original decision was wrong. Rather, a section 93 recommendation could be made where the Information Commissioner concludes the agency has not sufficiently justified the reasons for its decision.

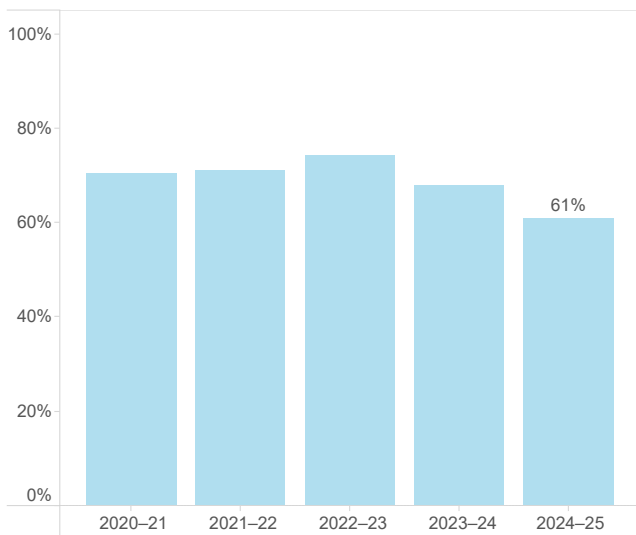
Figure 43: Internal reviews following a section 93 recommendation that upheld agencies' original decisions as a percentage of all internal reviews, 2020–21 to 2024–25



Reviews by NCAT of agency decisions

In 2024–25, agencies reported that 61% of reviews by NCAT upheld agency decisions. This is a moderate decline compared to 68% reported in 2023–24.

Figure 44: Reviews by NCAT where the decision was upheld as a percentage of all reviews by NCAT, 2020–21 to 2024–25



External review by the Information Commissioner of agencies' reliance on CPOPIADs and OPIADs

The IPC's internal data provides further insight into external reviews by the Information Commissioner in relation to the reliance on the considerations against disclosure by agencies.

The Information Commissioner conducts external reviews that cover a range of different issues that go to the process for dealing with applications and agencies' decisions to provide or refuse access to information.

The proportion of all reviews conducted by the Information Commissioner relating to CPOPIADs remained consistent at 18% in 2024–25, compared to 17% in 2023–24.

The proportion of all reviews conducted by the Information Commissioner relating to OPIADs remained consistent at 45%, compared to 41% in 2023–24.

Other issues that were the subject of review by the Information Commissioner included:

- disclosure of an individual's personal information
- adequacy of searches for information held
- effective exercise of agency functions.

Reviews conducted by the Information Commissioner can provide insights into the operational and cultural environment where access decisions are made within agencies. Data gathered through conducting these reviews is analysed to inform the Information Commissioner's forward work program.

CPOPIADs: Legal professional privilege remains the primary CPOPIAD subject of external review by the Information Commissioner

In 2024–25, the top two CPOPIADs that were relied on by agencies that were the subject of the Information Commissioner's review were:

- legal professional privilege (35%), which decreased moderately from 48% reported in 2023–24.
- excluded information (10%), which declined moderately from 17% reported in 2023–24.

CPOPIADs: The top CPOPIADs relied on in reviews where the Information Commissioner recommended agencies reconsider their decision generally remained consistent

In 2024–25, 37% of all the CPOPIADs that were the subject of review by the Information Commissioner resulted in a recommendation to agencies to reconsider the decision, consistent with 34% in 2023–24.

In the reporting year, the top four CPOPIADs relied on in reviews in which the Information Commissioner recommended agencies reconsider their decision:

- cabinet information consideration: 46% resulted in a recommendation to agencies to reconsider the decision, consistent with 50% in 2023–24
- excluded information consideration: 38% resulted in a recommendation to agencies to reconsider the decision, consistent with 44% in 2023–24
- complaints handling & investigative information: 25% resulted in a recommendation to agencies to reconsider the decision, a moderate decrease from 33% in 2023–24
- care and protection of children consideration: 29% resulted in a recommendation to agencies to reconsider the decision, consistent with 33% in 2023–24.

OPIADs: Responsible and effective government was the main OPIAD subject to external review by the Information Commissioner

The top three OPIADs that were relied on by agencies and subject to the Information Commissioner's review were:

- responsible and effective government (40%)
- individual rights, judicial processes and natural justice (39%)
- business interests of agencies and other persons (12%).

OPIADs: The number of external reviews by the Information Commissioner of OPIADs relied on that resulted in a recommendation to agencies to reconsider has increased overall

In 2024–25, 49% of all the OPIADs that were the subject of review by the Information Commissioner resulted in a recommendation to agencies to reconsider the decision, a moderate increase from 39% in 2023–24.

Following a review, the Information Commissioner's findings in respect of the top three OPIADs were for reviews of the:

- business interests of agencies and other persons consideration: 70% resulted in a recommendation to agencies to reconsider the decision, compared to 65% in 2023–24
- individual rights, judicial processes and natural justice consideration: 42% resulted in a recommendation to agencies to reconsider the decision, consistent with 40% in 2023–24
- responsible and effective government consideration: 50% resulted in a recommendation to agencies to reconsider the decision, representing a significant increase compared to 34% in 2022–23.

Were applications transferred between agencies?

Transfers between agencies remained stable

During 2024–25, agencies reported that 444 applications were transferred to another agency (Figures 45 and 46). This is a decline from the 489 transfers reported in 2023–24. This result represents a moderate 9% decline from the highest number of transfers, 664 reported in 2020–21 – the highest figure recorded in the past five years.

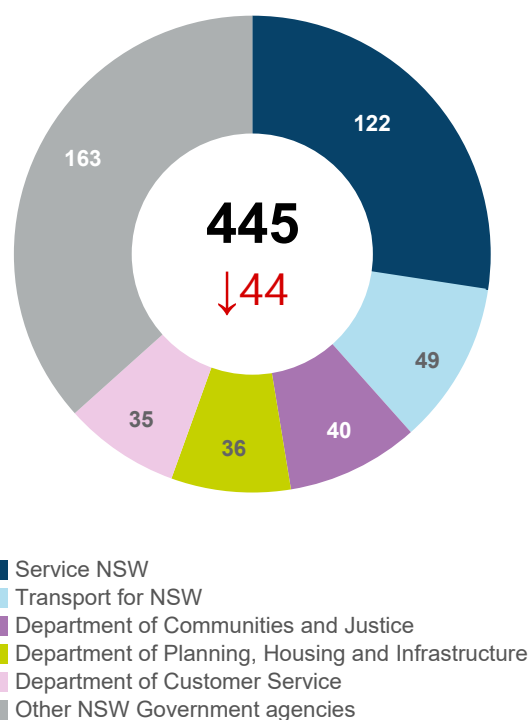
Figure 45 shows that the Government sector accounted for most transfers at 96%, consistent with the 95% reported in 2023–24. Most transfers were agency-initiated at 84%, consistent with 89% in 2023–24.

In 2024–25, Service NSW accounted for 27% of transferred applications, a moderate decrease from 35% in 2023–24. The second highest number of transfers was reported by Transport for NSW with 11% of transferred applications, similar to 9% in 2023–24. The third highest was reported by the Department of Communities at 9%, similar to 10% 2023–24 (Figure 46).

Figure 45: Number of applications that were transferred, by sector and by whether agency or applicant initiated, 2024–25

Sector	Agency initiated transfers	Applicant initiated transfers	Total
Government	354	66	421
Council	11	3	14
University	0	0	0
Minister	8	0	8
State-Owned Corporations	2	0	2
Total	375	69	444

Figure 46: Distribution of applications transferred, by agency, 2024–25



The transfer mechanism facilitates an applicant-centric approach to information access. The inclusion of this data provides a means of examining the assistance provided by agencies to applicants.

Appendices

Appendix 1

Notes on data sources and previous reports

The IPC's annual report on the Operation of the *Government Information (Public Access) Act 2009* (GIPA Act) is based on information submitted by NSW public sector agencies and analysed within the IPC. Data has been collected since 2010–11.

For the first four years, data was submitted by agencies in a variety of formats, and then manually entered into a database within the IPC.

In mid-2015, the IPC introduced a new online GIPA Tool as a way for agencies to manage their applications, provide their annual reports to the IPC and directly upload data.

The data analysed for this Report should be considered as a snapshot of agencies' compliance for the reporting year as available at 30 January 2026 (the date when the IPC commenced downloading agencies' reported data from the GIPA Tool).

Data updates by agencies may affect historical data and future reports. This is particularly relevant to data regarding timeliness reported in the 2017–18 Report and 2021–22 Report. On 29 April 2019, 7 July 2023 and 17 November 2023, the Information Commissioner tabled an erratum notice to correct data reported by an agency.

Since 2016–17, data has been reported from the following sectors:

- Government
- Council
- University
- Minister
- State-Owned Corporations.

Previously, SOC data had been included with that of the Government sector. Since 2016–17, SOCs have been separately identified in order to give greater insight into their GIPA operations and those of the Government sector. Accordingly, data for the Government sector reported prior to 2016–17 is not comparable to data in this Report.

In March 2018, the IPC published an online, interactive [Agency GIPA Dashboard](#) to facilitate agency and community access to this data. This Dashboard was updated in 2023 to enable a five-year comparison of data for agencies against their respective sectors and all agencies' reported figures. This enables better trend identification for each agency. This online data may be updated to take account of changes advised by agencies. Accordingly, the online GIPA Dashboard will represent the most up-to-date and accurate source of data on agency GIPA operations.

Because the annual reporting period for universities is a calendar year, the data for universities is also calendar year data. However, it is presented as financial year data to assist with cross-sector comparability. For example, GIPA data from universities' 2022 annual reporting has been treated as for the 2022–23 financial year. In 2023–24, the Department of Education has reported on a financial year basis for the first time. In prior years, the Department of Education reported on a calendar year basis.

Data reported in relation to mandatory proactive release reflects the number and composition of the principal departments for each financial year. Periodic changes to the number and functions of principal departments alters the overall audit population for that reporting period and therefore does not allow for direct comparisons with previous years' results.

Data reported for 2024–25 reflects the structure of agencies as of 30 June 2025.

Appendix 2

The Legislative Framework

Government Information (Public Access) Act 2009

The object of the *Government Information (Public Access) Act 2009* (NSW) (GIPA Act) is to maintain and advance a system of responsible and representative government that is open, accountable, fair and effective by:

- authorising and encouraging the proactive public release of government information by agencies
- giving members of the public an enforceable right to access government information
- ensuring that access to government information is restricted only when there is an overriding public interest against disclosure.

The GIPA Act applies to Government departments and agencies, local councils, universities, ministers and their staff, and state-owned corporations.

The guiding principle of the GIPA Act is to make information more accessible to the public. The Act embodies the general presumption that the disclosure of information is in the public interest, unless there is a strong case to the contrary.

1. Mandatory proactive release

The mandatory proactive release of information is one of the GIPA Act's four pathways for information release and access. Through this pathway, the GIPA Act requires NSW public sector agencies to release a prescribed set of information to the public, known as Open Access information. This information must be made publicly available online and free of charge. Open Access information of Ministers may be made available on the website of the relevant department.

The benefit of mandatory proactive release is that the pathway ensures that a minimum, consistent set of information that is regularly reviewed and updated to maintain relevance and currency, is freely available to the public. Mandatory proactive release is an important vehicle in achieving better service delivery through information access, transparency and increased individual input to government policy and service delivery.

2. Authorised proactive release

The GIPA Act authorises and encourages agencies to make information available unless there is an overriding public interest against disclosure.

Agencies (except Ministers) are required under the GIPA Act to review their program for the proactive release of information at least annually, and identify additional kinds of information that should be made publicly available. These agency reviews are not merely a reporting obligation. They provide the mechanism to drive the continuous release of information under this pathway. This information can be made publicly available in any manner that the agency considers appropriate either free or at the lowest reasonable cost.

Through this pathway, agencies have a responsibility to promote policies and practices that ensure as much information as possible is made publicly available.

The aim of proactive release is to maximise the amount of information that is released by agencies. This requires creating a culture where information release is a matter of course. The proactive release of information has many benefits, including a more informed community that is better able to engage and influence the development and delivery of services, agency operations and broader policy and community debates.

3. Informal release

The GIPA Act enables agencies to release government information in response to an informal request for information, unless there is an overriding public interest against disclosure.

This pathway promotes the transition to a system which will result in the general release of government information.

4. Formal access applications

The GIPA Act provides individuals and organisations with a right to apply for, and access most government information, unless there is an overriding public interest against disclosure (section 9). The GIPA Act outlines a formal process that must be followed by applicants and agencies. The steps for applicants include:

- putting an application in writing
- stating that the application is seeking information under the GIPA Act
- including a postal address or email address
- explaining clearly the information that is being requested
- paying an application fee of \$30.

Agencies must assess each application that is received. For valid access applications, agencies must apply the public interest balancing test and consider the factors for and against the disclosure of the information that is being requested.

The main benefits of the formal access pathway include:

- the right to seek access is legally enforceable
- agencies are not subject to the direction or control of any Minister in the exercise of the agency's functions when dealing with an access application
- agencies must apply the public interest balancing test and consult with third parties to whom the information relates, and also may consult with other agencies
- applicants have a right to seek review of an agency's decision about the application through an internal review by the agency, an external review by the Information Commissioner or an external review by NCAT.

Section 125 of the GIPA Act requires agencies to report to Parliament annually on their obligations under the GIPA Act, including reporting on GIPA data. A copy of the Report is to be provided to the Information Commissioner after the Report has been tabled in Parliament. This mandated information is set out in clauses 8(a), (b), (c) and (d) of the GIPA Regulation. Schedule 2 of the GIPA Regulation sets out the prescribed form for clause 8(d) reporting through Tables A – I.

Government Information (Public Access) Regulation 2018

The *Government Information (Public Access) Regulation 2018* (NSW) (GIPA Regulation):

- prescribes additional Open Access information that local authorities, ministers, departments and statutory bodies must make publicly available
- sets out the statistical information regarding formal applications that agencies must include in their annual reports
- in the case of an access application relating to a school, extends the period in which the application must be decided if the usual 20-day period for deciding the application occurs during the school holidays
- specifies the corresponding access to information laws of other Australian jurisdictions under which information may be exempt (this is a relevant public interest consideration against disclosure under section 14)
- declares certain bodies to be public authorities for the purpose of the GIPA Act
- declares certain entities to be sub-agencies and parent agencies for the purpose of access applications
- provides that records held by the Audit Office or the Ombudsman's Office that were originally created or received by another agency, are taken to be held by the original agency.

Government Information (Information Commissioner) Act 2009

The system of public access to information is overseen by the Information Commissioner, established under the *Government Information (Information Commissioner) Act 2009* (NSW) (GIIC Act). Under the GIIC Act, the Information Commissioner's role includes:

- promoting public awareness and understanding of the Act
- providing information, advice, assistance and training to agencies and the public
- dealing with complaints about agencies
- investigating agencies' systems, policies and practices
- reporting on compliance with the Act.

Under section 37 of the GIIC Act, the Information Commissioner is required to provide an annual report to Parliament on the operation of the GIPA Act, generally, across all agencies.

This Report fulfils the Information Commissioner's statutory obligation.



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