



information
and privacy
commission
new south wales

Information Commissioner's Update

Presentation to Practitioners' Network Forum

12 June 2019

Parliament House, Sydney

Elizabeth Tydd

NSW Information Commissioner, IPC CEO

NSW Open Data Advocate

IPC Resources & Publications

New

- ✓ *Fact Sheet – Applying for Government Recruitment Information*
- ✓ *GIPA Guideline 7 - Open Data*
- ✓ *E-learning modules - Contract Registers & Access training for decision makers*
- ✓ *NSWPF – GIPA Compliance Report*

Upcoming

- ✓ *Guideline - Cabinet Information – under review*
- ✓ *Guideline - Access to Out of Home Care Records – new*
- ✓ *Guidance to inform search processes, assistance to applicants and decisions under section 60(1)(a)*

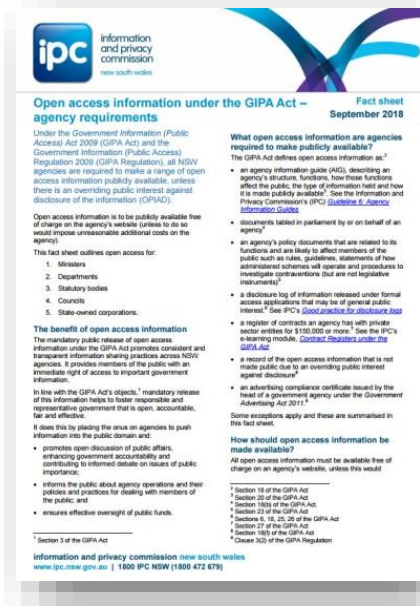
GIPA Searches

- Unreasonable and substantial diversion of resources as it relates to searches
- Considerations: volume, size, decision period (Section 60(3A)); presumption in favour, demonstrated importance to the applicant
- Requirements: amendment Section 60(4)
- Decision requirements: findings of fact with reference to the sources of information, general nature and format of records held Section 61
- State Records Act: Obligation to maintain accessibility to equipment/technology dependent records

IPC Resources & Publications

Updated

- ✓ *Fact sheet - Third Party Consultation April 2019*
- ✓ *Fact sheet - Why consult third parties April 2019*
- ✓ *GIPA Guideline 5 - Consultation on public interest considerations under section 54 & section 54A of the GIP Act April 2019*
- ✓ *GIPA Guideline 1 – For local councils on the disclosure of information – under consultation*
- ✓ *IPC Framework for Proactive Risk and Intelligence Based Compliance Program April 2019*





Guideline 7: Open Data

- ✓ **Open data**
- ✓ **Opening data**
- ✓ **Decision-making under the GIPA Act**
- ✓ **Factors in favour of disclosure**
- ✓ **NSW Government Information/Data Policies and Frameworks**
- ✓ **The balancing of information access and other considerations**
- ✓ **Protections under the GIPA Act**



Self-assessment Tools

The on-line tools enable agencies to:

- Assess compliance against key privacy & information access requirements
- Link to IPC guidance that promote better practices & enhance compliance
- Generate dashboard reports dealing agency compliance levels
- More precisely identify areas where improvements are required
- Develop comprehensive plans to improve compliance with privacy & information access requirements

Information Access Self-assessment tool

Supporting tools and systems

Level of compliance

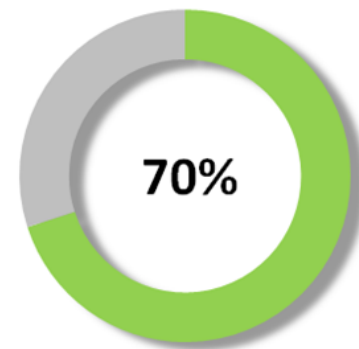
Staff in your agency are supported to comply with the GIPA Act through the availability of appropriate training, documented processes and delegations, and processes to ensure requests are handled in a timely and appropriate way.

Select the response that best reflects your agency from the drop down list next to each requirement

Agencies should:

- a) Provide training on a regular basis for officers authorised to exercise for GIPA functions
- b) Provide regular communication providing updates on policies or guidance on GIPA responsibilities
- c) Have in place a case management tool for managing GIPA applications
- d) Provide documented procedures for meeting GIPA requirements which are updated as required and communicated to staff
- e) Have in place procedures to assist in managing the risks associated with searches for information including:
 - guidance on conducting searches, and
 - templates for issuing search requests and for return of documentation and certification

- Every 3 months
- Processes/procedures absent
- Processes/procedures under development
- Processes/procedures in place
- Processes/procedures in place



Agency comments:

Campaigns & Events

Information Awareness Month (IAM) – May 2019

- ✓ **To increase public awareness of information & its place in all aspects of our day-to-day lives**
- ✓ **Collaborative event between records, archives, library, knowledge, information and data management communities**
- ✓ **During IAM the IPC released:**
 - ✓ **Information Agency Self-assessment Tool**
 - ✓ **GIPA Guideline 7 – Open Data**

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