

Information Commissioner's Update

Presentation to the Practitioners' Network Forum

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Via Microsoft Teams

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NSW Open Data Advocate



information and
privacy commission
new south wales



Information and Privacy Commission NSW

is celebrating its **10 year** anniversary

Thank you for working with us to protect and promote citizens' information access and privacy rights in NSW.



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10 year anniversary of the IPC

In the last 10 years, there have been various milestones regarding promoting and protecting information access and privacy rights including:

- promoting public awareness and understanding of information access and privacy rights by:
 - conducting 8 Right to Know Week NSW campaigns and 10 Privacy Awareness Week NSW campaigns
 - commissioning and publishing seminal research on information access, privacy data sharing and open data
 - releasing 17 privacy resources for NSW citizens
 - releasing 30 information access resources for NSW citizens

- providing information, advice, assistance to the public and agencies by:
 - receiving and assessing 10,309 reviews and complaints
 - launching the IPC's e-learning portal in 2015 to provide training for NSW public sector agency staff for information access legislation
 - publishing a *Charter for Public Participation* to ensure agencies engage effectively with citizens
 - launching the IPC's Client Satisfaction Survey in 2017
 - developing the Information Governance Agency Self-assessment Tools in 2019
 - developing the Privacy Governance Framework
 - providing advice to agencies for a range of projects in accordance with the Digital Restart Fund Act 2020

- issuing guidelines and other publications about the exercise of functions under access to information and privacy legislation through the publication of:
 - 2 Privacy Commissioner guidelines
 - 5 Privacy Commissioner health guidelines
 - 9 Information Commissioner guidelines
- monitoring, auditing and reporting on the exercise of functions under legislation by:
 - reporting on the operation of the PPIP Act from 2010
 - reporting on the operation of the GIPA Act from 2010
 - delivering an online IPC GIPA Tool in 2015
 - embedding a targeted risk-based program to proactively elevate compliance and publishing 18 public reports
 - implementing assessment systems and capabilities to ensure that submissions from the Privacy Commissioner on a range of cases before the NSW Civil and Administrative Tribunal (NCAT) are instructive and authoritative.

Inaugural Information Access and Privacy Excellence Award

- The IPC has established an inaugural Information Access and Privacy Excellence Award.
- The Award is instituted as part of the 10-year anniversary of the establishment of the IPC and recognises excellence in service delivery to NSW citizens and agencies.
- The Award recognises outstanding service delivery achievements that promote and protect information access and privacy rights in New South Wales.
- The recipient of the inaugural award is Ms Sonia Minutillo

Since 2013 Ms Minutillo has

- developed and implemented innovative case management systems to ensure timely and high quality complaint and review outcomes for agencies and citizens
- implemented robust reporting systems to identify trends, emerging issues and risks to the preservation of information access and privacy rights
- led the implementation of a proactive compliance audit program to target risks to the promotion and preservation of information access and privacy rights
- pioneered effective mentoring systems to ensure constructive staff support and superior case management outcomes
- engaged consistently, productively and generously with stakeholders and the IPC Executive to comprehensively promote excellence in all IPC operations.



Sonia Minutillo

Director,
Investigation
and Reporting

IPC Proactive Audit Program & Significant Regulatory matters

Current major case work Reviews and Complaints

- Assessment of a complaint regarding Office of the Premier of NSW regarding record-keeping (finalised)

Current major regulatory action

- Local councils – compliance with Guideline 1
- Compliance report Transport for NSW re contract register compliance (finalised)

Upcoming regulatory action

- icare – Phase 2 compliance audit

Report on the Operation of the GIPA Act 2019-20

Digital Restart Fund (DRF)

- IPC continues to prepare agency GIPA data for the Report on the Operation of the GIPA Act 2019/20.
- For any agencies that have yet to submit their data or for queries, please email ipcinfo@ipc.nsw.gov.au.
- IPC has received a total of 84 projects to date on a range of initiatives with 19 currently open.

NSW Government Information and Privacy Advisory Committee

The NSW Government announced the establishment of the Committee in mid-December 2020.

The Committee:

- was established to provide ongoing strategic advice to government, and to facilitate knowledge sharing and collaboration across government, industry and academia.
- is chaired by the NSW Information Commissioner and will advise the IPC, the Minister for Customer Service and the Attorney General and Minister for the Prevention of Domestic Violence.
- draws together expertise that can address the unique challenges faced by government and the community in the digital age where technology, service delivery and consumer expectations are changing rapidly.

Participation in Open Government Partnership

NSW OGP Commitment: Open by Design Update

- The Commonwealth will finalise the National Action Plan, and once approved it will be submitted to the international OGP (See ogpau.pmc.gov.au).
- Implementation of the commitments will commence shortly, with NSW leading the Open by Design commitment.
- ‘Open by Design’, promotes a government-wide commitment to develop principles to support/guide a consistent approach to the proactive release of information held by government or used in the provision of traditional government services.

Speaking Engagements

The Information Commissioner spoke at the following engagement in Feb:

- Australian Library and Information Association (ALIA) Information Online Conference – 8 February 2021

Upcoming

- DCS Women in Technology Network Event – 11 March 2021

Information Access Resources

The following Information Access resources have been updated:

UPDATED:

- Checklist – Checklist for reporting a public interest disclosure (PID) alleging a government information contravention

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