



information
and privacy
commission
new south wales

IPC Policy Framework

November 2021



Introduction

The Information and Privacy Commission NSW (IPC) is an independent statutory authority that administers NSW legislation dealing with privacy and access to government information. The IPC is part of the Department of Customer Service (DCS).

DCS corporate policies are applicable to IPC staff and cover functions such as finance, human resources, information management and technology, asset management, procurement and governance. In some circumstances the IPC develop its own policies to represent its independent status and to deal with issues that are unique to the IPC as a small integrity agency.

All employees must be aware of and comply with DCS and IPC's policies, procedures, guidelines and delegations, particularly those that apply to their work. IPC and DCS policies are distinguishable from IPC procedures.¹

IPC's Policy and Review Framework is a mechanism to provide overall assurance to IPC's Executive and the Audit and Risk Committee of the IPC's legislative and policy compliance and enables IPC to manage risks associated with non-compliance.

Policy development principles

Due to the small size of the IPC and the existing cluster policies, the following principles are applied for the development and review of policies by the IPC:

- Policies must be sufficient to provide robust assurance of compliance with legislation or other requirements
- Policies will be regularly reviewed and updated as needed, with priority given to:
 - policies requiring legal compliance
 - policies intended to mitigate unacceptable risk
- Policies will be easily available to staff
- Each policy will have a designated owner
- IPC will generally rely on (that is, follow) DCS policies unless:
 - the policy area or issue is significant and important enough to ensure sound governance that an 'IPC specific' approach is required. Examples of this are the overarching policies in areas such as:
 - professional conduct
 - Customer Service Charter
 - work health and safety
 - audit and risk management
 - The circumstances of the IPC are sufficiently different so that relying on a general DCS policy would not provide sufficient assurance or guidance to staff, for example:
 - Gifts and Benefits
 - Flexible working hours arrangements
 - Code of Conduct

¹ GIPA Act section 23

Policy register

The control document for maintaining, reviewing and tracking corporate documents at IPC is the IPC Policy Register ('Policy Register') - EDRMS D18/115977/DJ. The Register, 'also includes any procedures, guidelines, registers, checklists or any other document associated with a policy.

- IPC will monitor the documents listed on the Register to ensure currency, accuracy and relevance.
- Legislative compliance in accordance with the Legislative Compliance Register and those identified as presenting unacceptable risks to the IPC (emanating for example from change or identified deficiencies) will inform priorities on the Policy register.
- IPC will communicate any relevant policy or document changes to staff or stakeholders.

IPC also maintains a Legislative Compliance Register (EDRMS D21/037171/DJ) that details the legislation that IPC administers. It identifies the responsible position and timeframe for ensuring compliance with its legislative obligations. Some obligations in the Legislative Compliance Register are met through policy and other corporate documents that are listed in the Policy Register.

The review of compliance with legislative requirements that is conducted through the Audit and Risk Committee process and meetings together with those identified on an ad hoc basis as presenting an unacceptable risk to the IPC will provide the basis for identification of Executive priorities.

Priorities on the Policy Register have been determined by the Executive and reflected in the frequency of reviews associated with each document. The frequency of reviews has been determined by management taking into consideration the purpose, information and legislative requirements. Review of the listed documents will be conducted by the identified document owner. The Policy Register records the frequency of the review for each document and the due dates for review.

Roles and responsibilities

The following parties have responsibilities under this policy:

Information Commissioner/CEO

- Approval of the Policy and Review Framework and the Legislative Compliance Register and nominated responsibilities.
- Approval of the responsibilities and accountabilities as detailed in IPC's Policy Register and Legislative Compliance Register.

Audit & Risk Committee

- Assessing whether adequate systems, policies and procedures are in place at IPC to meet its legislative, governance and operational obligations.
- Reviewing the results of the Annual Compliance Assessment process, internal and external audits and associated management systems.
- Reviewing and providing recommendations to IPC management on compliance and policy issues that arise.

Director, Business Improvement

- Regular and annual reporting on compliance issues to the Audit & Risk Committee.
- Reviewing the Annual Assessment Report, including the endorsement and tracking of corrective strategies.

- Ensuring the Corporate Services team monitor and track compliance with the Policy Register.
- Ensuring that the IPC's policy requirements are properly identified and differentiated with procedures.

IPC Executive and managers

- Ensuring policies and procedures in their area of responsibility are updated in accordance with the Policy Register and/or Legislative Compliance Register.
- Ensuring that staff are aware of the content of policies and legislation associated with their role and ensuring adequate information and training is provided.
- Fostering a compliance culture within their team.

Manager, Systems and Corporate Services

- Managing and monitoring the policy and document reviews required in the Policy Calendar.
- Advising document owners of due review dates and update the Policy Register when completed.
- Ensuring policies are communicated to an easily accessible by staff
- Forwarding the updated and approved policy to the Communications team for updating the Policy List on the IPC website if the document is on that list.

IPC staff

- Being aware of and complying with any policy or legislation required for their role
- Reviewing and updating any policy or associated document in accordance with the Policy Register.
- Attending any training provided or required by IPC with regard to policy or legislative compliance.

Communication and training

IPC will ensure that staff are aware of any policies or legislation by providing staff with access to information through induction processes, face-to-face training and online training, manuals, the IPC policy list on IPC's website and DCS intranet access.

IPC communicate changes about policies, processes, legislation, and reports that affect staff through emails, meetings and training.

Document information

Identifier/Title:	IPC Policy Framework
Business Unit:	IPC
Author:	Business Services, Systems & Improvement Officer
Approver:	Elizabeth Tydd (CEO, Information Commissioner)
Date of Effect:	November 2021
Next Review Date:	November 2022
EDRMS File Reference:	D19/407639/DJ
Key Words:	Policy, Compliance, DCS, Reporting, Policy Register