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Media release

31 March 2022

NSW Information Commissioner welcomes proactive approach to compliance by Clarence Valley Council and its commitment to ongoing self-assessment and reporting

The NSW Information Commissioner, Information and Privacy Commission (IPC) CEO and NSW Open Data Advocate, Elizabeth Tydd met with Clarence Valley Council on 29 March 2022 to promote compliance by the Council with their obligations under the *Government Information (Public Access) Act 2009* (GIPA Act).

Information Commissioner, Elizabeth Tydd said, “Local Councils are at the heart of our democratic system, they represent and serve citizens and their work has never been more important to the people of the Northern Rivers. I welcome Clarence Valley Council’s commitment to improving compliance with their obligations under the GIPA Act and I appreciate that Mayor Ian Tiley and Councillors together with the executive and management levels of Council were open to engaging with the IPC and committed to improved compliance.”

During her visit the Commissioner highlighted IPC tools and resources available for agencies to improve compliance. Importantly the meeting focused on information governance, integrity in government and compliance with information access legislation.

Commissioner Tydd said, “I am impressed by the proactive approach to compliance taken by the Council following the recent local government elections. Through the use of our resources including the Information Governance Agency Self-Assessment Tool, I am confident that over time we will see improved outcomes for the citizens of Clarence Valley and more robust information governance practices by Council. The Council committed to application of the IPC self-assessment tool and reporting the Council’s progress to the independent Audit, Risk and Improvement Committee.

“Improving compliance and open government practices by Councils has been a focus of the IPC over the past two years. Regulatory action has included consulting with the sector on my review of Information Access Guideline 1 regarding the disclosure of pecuniary interests and a Local Government Sector Compliance Audit. That audit demonstrated low levels of compliance with open access requirements. This opportunity to directly engage with Clarence Valley Council provides evidence of a genuine commitment to improvement. It represents a notable cultural shift to greater transparency and accountability by the Council. Applying tools such as the IPC self-assessment tool demonstrate that commitment and will lead to significant improvements for Councils and citizens alike.”

The 2020/21 *Report on the Operation of the Government Information (Public Access) Act 2009*, tabled by the Information Commissioner in March 2022, found that whilst compliance with general proactive release requirements by the Council sector had improved overall, the specific proactive release requirements that target areas of high risk continue to present high levels of non-compliance.



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Commissioner Tydd said, “In the Council sector in 2020/21, there was an unacceptable level of non-compliance in respect of the specific pro-integrity disclosure requirements under the GIPA Act. The low levels of compliance with these specific and important integrity serving requirements will be a focus for the IPC this year.”

The IPC provides resources and tools for all NSW public sector agencies, including local government, to enable them to measure the maturity of their information governance systems and implement plans to further develop those systems and confidently meet their information access requirements.

The Information Access Agency Self-assessment Tool is available for download by agencies via the [IPC website](#).

More information and resources on information access and privacy rights in NSW are also available at the Information and Privacy Commission NSW [website](#).

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For further information, please contact:

The Manager, Communications and Corporate Affairs on 0435 961 691 or email communications@ipc.nsw.gov.au

About the Information and Privacy Commission:

The Information and Privacy Commission NSW (IPC) is an independent statutory authority that administers New South Wales’ legislation dealing with privacy and access to government information. The IPC supports the Information Commissioner and the Privacy Commissioner in fulfilling their legislative responsibilities and functions and to ensure individuals and agencies can access consistent information, guidance and coordinated training about information access and privacy matters.

About the NSW Information Commissioner

The NSW Information Commissioner’s statutory role includes promoting public awareness and understanding of the *Government Information (Public Access) Act 2009* (GIPA Act); providing information, advice, assistance and training to agencies and the public; dealing with complaints about agencies; investigating agencies’ systems, policies and practices; and reporting on compliance with the GIPA Act.

The *Government Information (Information Commissioner) Act 2009* (GIIC Act) establishes the procedures for appointing the Information Commissioner and sets out the Commissioner's powers and functions. It outlines the method for people to complain about the conduct of agencies when undertaking their duties under the GIPA Act, and the way in which the Information Commissioner may deal with the complaint. The GIIC Act also enables the Information Commissioner to investigate and report on how agencies carry out their functions under the GIPA Act.

For further information about the IPC visit our website at www.ipc.nsw.gov.au