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Media release

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NSW Information Commissioner report reveals an unprecedented increase in applications for government information

The NSW Information Commissioner, Information and Privacy Commission (IPC) CEO and NSW Open Data Advocate, Elizabeth Tydd, today released the [2020/21 Report on the Operation of the Government Information \(Public Access\) Act 2009 \(GIPA Act\)](#) (the Report). The Report was tabled in Parliament earlier today.

Under section 37 of the *Government Information (Information Commissioner) Act 2009* (GIIC Act), the Information Commissioner is required to provide Parliament with an annual report on the operation of the GIPA Act. The Report examines the performance of over 250 public sector agencies, provides important guidance to policymakers and agency heads, and promotes greater transparency for the NSW community.

The Report found an unprecedented increase in applications to access government information by NSW citizens this year.

Information Commissioner, Elizabeth Tydd said, “The number of applications for information received by agencies increased by a staggering 30% in 2020/21, representing the largest increase in over a decade of reporting, with 22,349 valid applications received compared with 17,246 in the previous financial year.

“Notably between 2017 and 2021, the percentage of applications made by members of the public increased from 73% of all applications received to 82%, which outstrips any other category of applicant.

“Consistent with previous years, the Government sector continued to account for the great majority (80%) of valid applications and the number of applications significantly increased by 27%. Applications to the Council sector also increased significantly by 47%.

“This dramatic increase is a most persuasive indicator of political, economic and social action by citizens that must be heard and addressed. Public sector leaders must respond to the increasing calls for access to information by proactively releasing information.”

The Report found that whilst general proactive release requirements had improved the specific proactive release requirements that target areas of high risk in Government departments and local councils continue to present high levels of non-compliance.

Commissioner Tydd said, “While 100% of Government departments achieved compliance with the general mandatory proactive release requirements, compliance with their five additional open access requirements continue to remain low and in the Council sector there also was an unacceptable level of non-compliance in respect of the specific pro-integrity disclosure requirements.



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“The low levels of compliance with these specific and important integrity serving requirements by both government departments and the council sector will be a focus for the IPC this year.”

While there was a significant increase in information access applications, timeliness remained stable.

“92% of decisions were made within the statutory time frame, consistent with 2019/20 (91%). When viewed in the context of this year’s increase in valid applications, this is a positive outcome,” said Commissioner Tydd.

Reviews by the Information Commissioner were found to continue to represent the most accessed review right, with applications for review by the Information Commissioner representing 38% of all reviews conducted. This data demonstrates the continued dominance of this independent review avenue.

“National and global trends confirm that citizens are increasingly exercising their right to access government information and the data from this year’s Report shows that NSW is at the forefront of this trend,” said Commissioner Tydd.

“Digital government in NSW has advanced over the past five years and has been associated with more effective and efficient services for citizens. This is evidenced by the digitisation of many services as a result of the COVID-19 pandemic and an increase in the business of government being conducted virtually or remotely.

“In response to this, this year the IPC’s focus will be on working to inform change to ensure that NSW remains at the forefront of open government and preserves open access principles in a growing era of digital government.”

The Report can be accessed [via the IPC website](#). A dashboard with individual agency performance data will be published on the IPC website shortly.

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For further information, please contact:

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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.



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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