

Audit and Risk Committee Meeting – Information & Privacy Commission NSW (IPC)

Tuesday, 12 June 2018 – 2.30pm to 5.00pm

Meeting No. 35

Minutes

The Audit and Risk Committee meeting was declared open at 2.30pm by the Chairperson.

1. Attendance

Members: Ms Lyn Baker (Chairperson) (LB)
Mr Paul Crombie (PC)
Mr Malcolm Clinch (MC)

Attendees: Mr Robert Hayek, Audit Office (RH)
Ms Pamela Robertson-Gregg, O'Connor Marsden (PR)
Ms Kylie McRae, O'Connor Marsden (KM)
Mr Ashley Hawkins, Department of Justice (AH)
Ms Elizabeth Tydd, Information & Privacy Commission (ET)
Ms Samantha Gavel Privacy Commissioner, Information & Privacy Commission (SG)
Ms Sonia Minutillo, Information & Privacy Commission (SM)
Mr David Marcus, Information & Privacy Commission (DM)
Ms Libby Stratford, Department of Justice (LS)

Minutes: Ms Lynley Mattes, Information & Privacy Commission (Minutes) (LM)

Item 2

2A. Annual Declarations of Interest

LB provided her Annual Declaration of Interest out of session.

2B. Disclosures

General disclosure confirmed by Committee. PC advised that he is Chair of the Audit & Risk Committee for Multicultural NSW. This was noted by the Committee.

Item 3

3A. Minutes of Previous Meeting

Action Item 1: Minutes of previous meetings containing tracked changes will be re-circulated by ET and be approved out of session.

Action Item 2: To be formally approved by LB and then posted to the internet.

3B. Rolling Action Report

The committee noted the Rolling Action Report and all completed matters.

LB queried Item 30.11 (Standard Annual In Camera Session).

Action Item 3: ET to follow up with Roxane Marcelle Shaw regarding Item 30.11 (In Camera Discussion to confirm that this was the annual session).

PC asked about the results of the People Matters Survey. DM responded that the results had been sent to committee members out of session.

Action Item 4: DM to re-send Survey email to PC.

Item 4

4A. Update from the Chairperson

The chairperson advised minutes should be reflective of significant points and actions arising as per previous arrangements. All agreed.

Chair advised that she had received an update out of session regarding identification of a potential fraud and the resultant risk mitigation strategy introduced to ensure that systems adequately address the event detailed.

4B. Update from the Chief Executive Officer/Information Commissioner

ET once again welcomed Libby Stratford (Chief Financial Officer, DoJ).

Written report was noted and the Committee was advised of developments in relation to SLAs. Libby Stratford anticipated the first SLA to be operative from the first quarter of 18/19.

4C. Update from the Privacy Commissioner

PC noted that it has been a positive year for Privacy and that the Privacy Awareness Week in May was a highlight.

PC was advised that Privacy arrangements are working really well from a resourcing perspective.

Item 5 – Agency Planning and Reporting

5A&B. Quarterly Reports

The Committee noted the quarterly reports to the Attorney General and to Minister Dominello submitted on 18 and 3 April respectively.

5C. Finance Report & Monthly Dashboard

DM discussed the report and issues regarding the provision of data. In respect of the Recommendation, DM advised that there was value derived from communication between A/DBI and a nominated ARC Member re financial reports. LB requested that DM nail down the purpose of any mid-point meeting (precisely) and channel (eg teleconference or an exchange of information). MC suggested that any significant issues arising from the Executive Meetings be circulated to Members for comment. DM to identify if there are any emerging risks (by either phone or email if necessary) and communicate emerging matters to ARC.

PC confirmed adequacy of current reports.

Action Item 5: DM to communicate to ARC any issues arising post Executive Meetings relevant to financial reporting on an on-going basis.

LS indicated there may be a move away from net cost of services to an expense based approach.

Performance and Development Planning

Process completed for the IPC and commended. New DoJ plan implemented.

Engagement Framework & Planning

DM advised that a strategic engagement framework is being created for the IPC in both streams (privacy and access). Framework focus is on the most strategic areas and communication touch points as transactional communication points such as e-bulletins are already in place.

Financial Dashboard

The Committee noted the IPC Quarterly Dashboard Report

Action Item 6: DM to provide a copy of the Draft budget when available.

Staff Overpayment

IPC continues to support DoJ in enforcing recovery of overpayment.

SLA

Continues to engage with DoJ and noted SL comments regarding SLA in first quarter 2018/19.

Payment Processing

Waiting for the most contemporary data to identify how performance is tracking so we can identify if the issues are within IPC or DoJ.

Action Item 7: AH to liaise with DoJ to ensure data provided to DM

Quarterly update to the Attorney

Provided and considered.

5D. Cyber Security

Presentation noted. PC requested a copy of ET presentation to 4th Annual Data Summit.

Action Item 8: Copy of ET's presentation to the 4th Annual Data Summit to be provided to the Committee.

SM invited any interest for GCISO to provide the cyber security presentation if wanted.

PC suggested that Cyber Security should be a risk on its own within the calendar.

Action Item 9: SM to ensure highlighted in calendar.

Item 6 – Risk Management

The Committee noted and discussed the report on Risk Management and revised Risk Register.

There has been no substantial change in environment. Noting number 6 has been revised downwards as a consequence and consideration.

LB requested that changes be written in brackets (ie. High to moderate) (no further columns).

PC queried whether risks were on the Executive Meetings (& Management Meetings). Confirmed.

Item 7 – Internal Audit

The Committee noted the report; endorsed closure of status register and recommended that the CEO approve the internal audit plan for 17/18.

Three audits were identified. One (Purchasing & Procurement) is complete, awaiting management's response.

The other two audits -Stakeholder Management (NGO's) & Financial Management / Year end reporting system and processes were considered by the committee. SM would appreciate any feedback regarding the format of these. General discussion and request that SM remove first table from each audit as it was considered repetitive.

Action Item 10: SM to remove first table from each audit.

Action Item 11: ARC will review third audit paper (Purchasing & Procurement) to be provided out of session and report back to SM.

Item 8 – External Audit

DM spoke to the papers attached.

DS advised that the IPC was implementing recommendations contained in the management letter. Main issue raised concerned the currency of policies on website (item 8b) and to create a policy register. LS advised that they are doing a raft of work on new policy documents. Trying to identify key policies that relate to statutory responsibilities where we want to demonstrate better practice. As these are finalised the relevant policies are available for adoption by the IPC as per cluster arrangements.

The ARC noted the reports under 8B and 8C and requested visibility over Policy updates.

Action Item 12: A register to be created identifying policies updated by the IPC for review by the ARC on an annual basis.

Item 8C: Committee noted the report and the issues identified by the Audit Office. Audit Office confirmed overall satisfaction with the Early Close Process.

PC requested that EOFY Timeframes be sent to the Audit Committee.

Action Item 13: Timetable to be created and provided in these minutes.

Date	Action
Wednesday, 18 July 2018 (COB)	DoJ provide to IPC/CEO <ul style="list-style-type: none"> • Draft statements • Variance analysis and covering brief
Thursday, 19 July 2018	IPC/CEO reviews statements and passes to ARC members on same day
Friday, 20 July 2018	ARC Review
Monday, 22 July 2018	ARC comments due to IPC/DoJ by 10:00am
Tuesday, 23 July 2018	Statements re-submitted and signed

Action Item 14: For next year an early timetable including early close agenda to be provided by DM (above).

Item 9 – ARC Self-Assessment

Report noted. ARC considered the report to be a useful document and requested that a schedule of ARC appointment dates be included in Agenda papers.

Action Item 15: Include dates as a regular item on Agenda.

Item 10 – Legislative Compliance Register and Annual Calendar Items

The Committee received and noted the report and the Legislative Compliance Register with signed Summary of Responsibilities in Key Risk Areas. LB queried if we need to see this every meeting.

PC recommended that this be on exception and formally considered in Q4 at the time of annual attestation.

Action Item 16: To update the Legislative Compliance Register to ensure consideration at Q4 meeting only and update to committee on an exception basis.

Item 12 – General Business

People Matter Survey Results

LB suggested that IPC should have People & Culture on the calendar annually. Discussion was had regarding how best people & culture can be incorporated into IPC calendar. ET suggested that this be incorporated into the dashboard. General agreement.

Action Item 17: DM to consider P&C inclusion in Monthly Dashboard and submit to next ARC.

Action Item 18: KMcR to provide a relevant paper on managing culture to ARC following the meeting.

12A. Proposed schedule for 2018

The committee confirmed the proposed meeting dates for 2018:

- Tuesday, 18 September 2018 - Quarter 1
- Tuesday, 20 November 2018 – Quarter 2

Next meeting will be held on 18 September 2018.

The meeting was declared closed at 4.19pm.