



information  
and privacy  
commission  
new south wales

# Quarterly Report on IPC Regulatory Priorities Q1 2020/21: July to September 2020

October 2020



## Regulatory Plan Initiatives Status

Regulatory Plan Priority	Status	Project/Initiative
Regulatory Priority 1	Finalised	<ul style="list-style-type: none"> <li>• S112. Develop Information Commissioner guidance regarding copyright and the GIPA Act</li> <li>• S212. Develop a Fact Sheet on the IPC's role in NCAT</li> <li>• S312. Develop a Fact Sheet for the Fines Administration Act Breach Notification and Processes, including any business systems changes required</li> <li>• Provide recommendations to the Ministers regarding fees &amp; charges under GIPA</li> <li>• S212. Assess utilisation of the Information Governance Agency Self-assessment Tools to support review by I&amp;R and LCRA</li> </ul>
	Issues	<ul style="list-style-type: none"> <li>• S111. Undertake an annual intelligence assessment/research of the trends in types of information requested to inform understanding of the regulatory environment and risks</li> <li>• S313. Contribute to review of Agency fees and charges and lead the development of guidance</li> <li>• S211. Update the Fact Sheet on authorised proactive release</li> </ul>
	On-track	<ul style="list-style-type: none"> <li>• S111. Develop a Fact Sheet on privacy and open access with a particular focus on councils</li> <li>• S111. Undertake identified proactive audits to elevate and influence compliance including within the Local Council Sector and other Announced Audits</li> </ul>
	Yet to Commence	<ul style="list-style-type: none"> <li>• S113. Review and develop privacy resources for citizens accessing the correct rights pathways highlighting the differences between internal review and complaints</li> <li>• S113. Review and update resources on the voluntary data breach process arising from the impact of the introduction of any mandatory data breach scheme</li> <li>• S314. Review the privacy governance framework</li> <li>• S315. Develop a Fact Sheet about privacy offences</li> </ul>
Regulatory Priority 2	Finalised	<ul style="list-style-type: none"> <li>• S112. Develop a citizen Fact Sheet on State-Owned Corporations for both Information Access and Privacy</li> <li>• S312. Collaborate with State Records to deliver a Fact Sheet on record keeping, including digital records</li> <li>• S111 Conduct 2020 Community Attitudes Survey including s16 questions on agency support for GIPA applicants</li> </ul>
	On-track	<ul style="list-style-type: none"> <li>• S111, S112. Develop relevant statements of IPC and Commissioners' regulatory stance and public position pieces on relevant regulatory issues</li> </ul>
	Yet to Commence	<ul style="list-style-type: none"> <li>• S113. Create infographics and/or video clips on specific topics</li> <li>• S314. Develop resources for the exercise of functions of Ministers and Ministerial Offices under the IPC's legislation</li> <li>• S211. Develop a Fact Sheet on the application of Information Access and Privacy legislation on the use of new forms of digital communications such as WhatsApp, Facebook, Google Messenger</li> </ul>
Regulatory Priority 3	Finalised	<ul style="list-style-type: none"> <li>• S311. Develop a Fact Sheet about the IPC's functions and role in consultations on privacy projects and governance</li> <li>• S312. Develop guidance to assist agencies in assessing the impact of digital projects and service delivery on rights incorporating a review of the IPC's Privacy Impact Assessment guidance and collaborate with I&amp;R</li> <li>• S313. Develop a Fact Sheet on Privacy by Design</li> <li>• Conduct a privacy awareness survey</li> </ul>

	<b>On-track</b>	<ul style="list-style-type: none"> <li>• Make recommendations for administrative/legislative change to promote and uphold privacy rights, including with respect to managing data breaches and open data</li> </ul>
<b>Regulatory Priority 4</b>	<b>Issues</b>	<ul style="list-style-type: none"> <li>• S311. Capture and report data from regulatory activities regarding digital service delivery</li> </ul>
	<b>On-track</b>	<ul style="list-style-type: none"> <li>• Engage with agencies to identify risks and provide guidance to promote and preserve information access rights</li> <li>• Provide advice and assistance to entities undertaking government business regarding government's obligations under the GIPA Act.</li> <li>• Examine the operation of the GIPA Act in the context of digital government; increased outsourcing and partnership arrangements and new administrative models for service delivery</li> </ul>
	<b>Yet to commence</b>	<ul style="list-style-type: none"> <li>• S114. Develop a Fact Sheet on access to information about public officials under the GIPA Act</li> <li>• S213. Develop a Fact Sheet to assist people with reduced decision-making to make an application under the GIPA Act</li> <li>• Promote improved access to information at the lowest reasonable cost through digital solutions that impact processing and other charges</li> </ul>

## Reporting Priorities by Percentage

There are 33 Regulatory Initiatives listed under the four Regulatory Priorities in the IPC Regulatory Plan 2020-22. This quarter, 1 initiative was finalised as follows:

- **Regulatory Priority 1:**
  - S212. Assess utilisation of the Information Governance Agency Self-assessment Tools to support review by I&R and LCRA
- **Regulatory Priority 2:**
  - There were no regulatory initiatives finalised for the quarter.
- **Regulatory Priority 3:**
  - There were no regulatory initiatives finalised for the quarter.
- **Regulatory Priority 4:**
  - There were no regulatory initiatives finalised for the quarter.

In this quarter (Q1 2020/21) of reporting, the IPC finalised 1 (3.0%) of the 33 Regulatory Initiatives.

The IPC's Regulatory Plan commenced in January 2020 and between January and June a total of 11 (33.3%) Regulatory Initiatives were finalised. Accordingly, there was an increase of finalised initiatives of 1 (3.0%) this quarter, with a total of 12 (36.3%) of all Regulatory Initiatives being finalised on 1 October 2020.

## Priority Status Overview

Date	Finalised	On-track	Issues	Yet to commence
<b>Past Quarter (Q3 19/20)</b>	11 (33.3%)	10 (30.3%)	2 (6.1%)	10 (30.3%)
<b>Net change this quarter</b>	↑ 1 (3.0%)	↓ 3 (9.1%)	↑ 2 (6.1%)	0 (0%)
<b>Year to date* (Q1 20/21)</b>	12 (36.3%)	7 (21.2%)	4 (12.1%)	10 (30.3%)

\*As at 1 October 2020.