



information
and privacy
commission
new south wales

Privacy Commissioner's Update

Presentation to Practitioners' Network Forum

12 June 2019

Parliament House, Sydney

Samantha Gavel

NSW Privacy Commissioner

Privacy Awareness Week NSW 2019

- ✓ ***Privacy in NSW – the next 20 years:
Protection, Consent & Digital Government***
- ✓ **Two IPC Events**
 - **Wed 15 May – Stakeholder Event**
Keynote & Panel Event at Gilbert & Tobin
 - **Tues 14 May - Citizen Engagement Event**
Wynyard Walk, Wynyard Station
- ✓ **53 agencies involved in our Champion Program**



Privacy Awareness Week NSW 2019

Citizen Event – 14 May

Location: Wynyard Walk, Wynyard Station

The Privacy Commissioner and IPC staff handed out privacy resources and treats, while answering questions and discussing privacy with the public.



Privacy Awareness Week NSW 2019

Stakeholder Event - 15 May

Keynote: Ms Sheila FitzPatrick - FitzPatrick & Associates

Panel: Ms Samantha Gavel (Chair) - NSW Privacy Commissioner

Dr Ian Oppermann - NSW Data Analytics Centre

Mr Peter Leonard - Data Synergies & UNSW Business School

Ms Kate Watts - Transport for NSW



Thank you to our 2019 Champions!



IPC Agency tools & information

Fact Sheet - Bundled Consent

- ✓ To assist agencies in understanding the issue of consent in relation to Privacy laws in NSW.
- ✓ Developed in consultation with OAIC
- ✓ Holistic approach taken to issues of consent & privacy

Fact Sheet – IPC Privacy Statement of Jurisdiction

- ✓ To assist citizens and agencies in understanding the application of Privacy Laws in NSW and the scope of the Privacy Commissioner's jurisdiction

IPC Agency tools & information

Privacy Agency Self-assessment tool

- ✓ To assist agencies to comply with NSW legislation
- ✓ Assess various privacy aspects of the agency
- ✓ Provides a rating to gauge levels of compliance
- ✓ Can be used to support practitioners' discussions internally about privacy
- ✓ Available free of charge from the IPC website

Privacy Agency Self-assessment tool

[Agency] Privacy Protection Self-Assessment

1 Culture and leadership

Strong leadership is key to establishing a culture of privacy protection in agencies. Executives who recognise the importance of good personal information handling in delivering services and building the trust of their clients, and actively encourage staff to embed privacy in their business processes, will make privacy core to the business and not just a compliance issue.

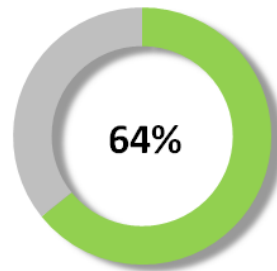
Level of compliance

Select the response that best reflects your agency from the drop down list next to each requirement

Agencies with a privacy positive culture:

- a) Support and advocate a privacy positive culture as a priority from the Board and executive to all levels of the organisation
- b) Have established, metrics-based privacy reporting processes
- c) Support managers and staff by having strong governance structures that support reporting and managing privacy issues
- d) Have data governance processes that address sensitive and high risk data
- e) Promote privacy by design in all projects
- f) Have on-going audit and monitoring processes in place
- g) Provide training and support to ensure all staff are aware of their

- Processes/procedures in place
- Processes/procedures under development
- Processes/procedures in place
- Processes/procedures absent
- Processes/procedures in place
- Processes/procedures in place
- Processes/procedures absent



Agency comments:

Privacy Agency Self-assessment tool

3 Supporting tools and systems

To be able to manage personal information effectively, agencies need to have a clear understanding of what personal information they hold, why it is collected, where it is stored, and how and by whom it is used. IT governance structures and processes should support compliance with privacy principles, along with clearly defined roles and responsibilities and training and communication.

For the personal information held by your agency, is it clear:

- a) What personal information is held?
- b) Who is responsible for this information?
- c) Where the information is stored?
- d) What the information is used for?
- e) Who has access to it?

4 Legislative compliance and achievement

Privacy Management Plans

A privacy management plan is a strategic planning document in which the public sector agency describes the measures it proposes to take to ensure that it complies with the Privacy and Personal Information Protection Act 1998 (PPIP Act) and the Health Records and Information Privacy Act 2002 (HRIP Act). Section 33 of the PPIP Act requires each NSW public sector agency to have a Privacy Management Plan and provide a copy to the NSW Privacy Commissioner. Clause 6 of the Privacy and Personal Information Protection Regulation 2014 (PPIP Regulation) provides that specified public sector agencies are exempt from the privacy management plan requirements.

Does your Agency's Privacy Management Plan include:

- a) Information about how the agency develops policies that deal with compliance under the PPIP Act and HRIP Act
- b) An overview of the main types of personal information the agency deals with, and how it is relevant to the agency's functions
- c) Strategies in place to comply with the Information Protection Principles (IPPs) and Health Privacy Principles (HPPs)
- d) Any exemptions to the PPIP Act or HRIP Act
- e) Details of any public registers
- f) Details of strategies to minimise the risk of employees committing an offence
- g) Procedures for privacy internal reviews
- h) The approach to training staff in the agency about privacy requirements, policies and practices
- i) References to relevant policies such as record keeping policies.
- J) The Privacy Management Plan should be accessible on the agency website and made available in other ways on request.
- K) The agency should have a process in place to review and update the plan at least every 2 years, and preferably annually.

Connect with us



www.ipc.nsw.gov.au



twitter.com/IPCNSW



www.linkedin.com/company/information-and-privacy-commission-nsw/



www.youtube.com/user/IPCNSW



ipcinfo@ipc.nsw.gov.au



1800 472 679

If you are deaf or have a speech or hearing impairment, call us through the National Relay Service (NRS) on 133 677.

If you would like interpreter assistance, call us through the Translating and Interpreting Service (TIS) on 131 450





information
and privacy
commission

new south wales