# Privacy: current challenges, digital technology and cyber security

**Cyber Security and Risk Management Roadshow**
10 August 2021

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ipc

information and
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new south wales

# COVID-19 and Privacy



## The IPC's pandemic related work has included the following:

- The IPC has engaged with the NSW Data Analytics Centre re privacy aspects of its COVID-19 data program

- Consultation with the Department of Customer Service re the Covid check-in tool

- Provision of advice to agencies about their privacy obligations during the pandemic

- Advice and assistance to agencies in relation to data breaches resulting from increased malicious cyber security activity during the pandemic

- Development of Guidance for agencies on the Collection of Vaccination Information

# Digital Government

**New technologies mean:**

- Easier & faster collection of data
- Large scale collection
- Digital innovation
- New privacy and cyber security challenges

**Development of a digital government:**

- New digital services
- Increased data sharing
- Data analytics and data matching
- Machine learning
- AI and Internet of Things technology

**NSW examples:**

- Digital Drivers Licence
- Mobile Phone Detection Cameras

# Data Breaches

## Data Breach – Service NSW, NSW Health and Transport for NSW

- In May 2020, Service NSW experienced a significant cyber incident which had compromised the email in-boxes of some 47 staff members.

- Service NSW organised for a forensic analysis of the 3.8 million documents exposed in the breach.

- Personal information of 100,000 customers and staff was exposed in the incident.

- In January 2021, the NSW Ministry of Health and Transport for NSW were impacted by a cyber attack on Accellion file transfer software.

# Public Interest Direction under the PPIP Act

## Direction relating to Service NSW – 5 August 2020

- It enables the collection, use and disclosure of personal information for a time limited data exchange process between Service NSW, Transport for NSW and the NSW Registrar of Births, Deaths and Marriages.

- The purpose of the data exchange is to provide Service NSW with up-to-date contact details of customers impacted by the recent Service NSW cyber incident.

- The direction was made on 5 August 2020 and will expire on 31 January 2021.

# Cyber Security

## Keeping Data Secure

- A whole-of-government and whole of organisation approach is required.

- Focus on processes, technology and people.

- Understand what information you hold, how long you need to retain it, where is it held and who has access to it.

- Tools include Privacy-by-Design, Privacy Impact Assessments, Privacy Enhancing Technology, patch management processes, email management.

- A data breach response plan which includes processes and procedures to manage and mitigate a data breach.

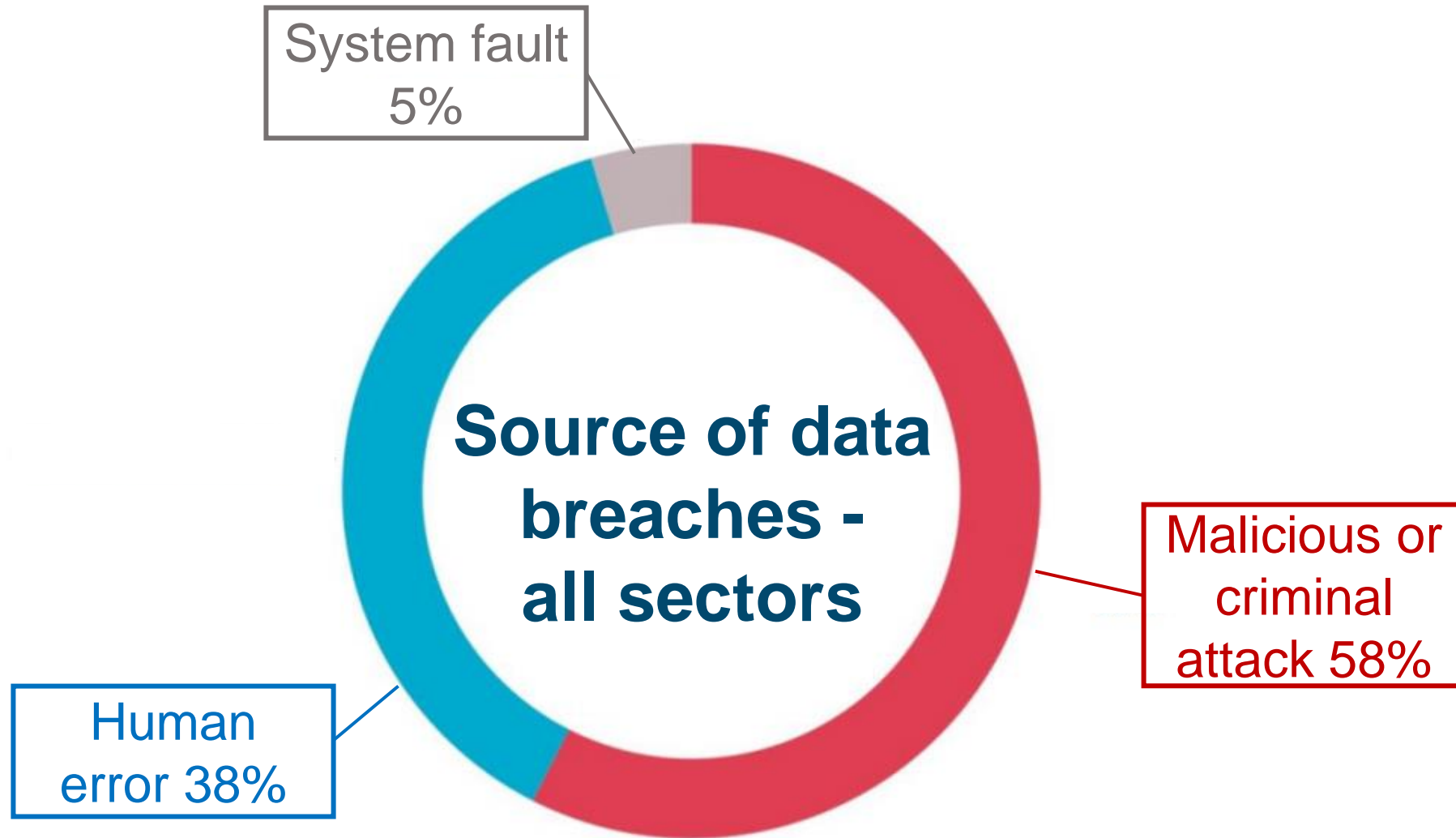- Regular cyber security training for staff and contractors.

# Mandatory Notification Data Breach Scheme

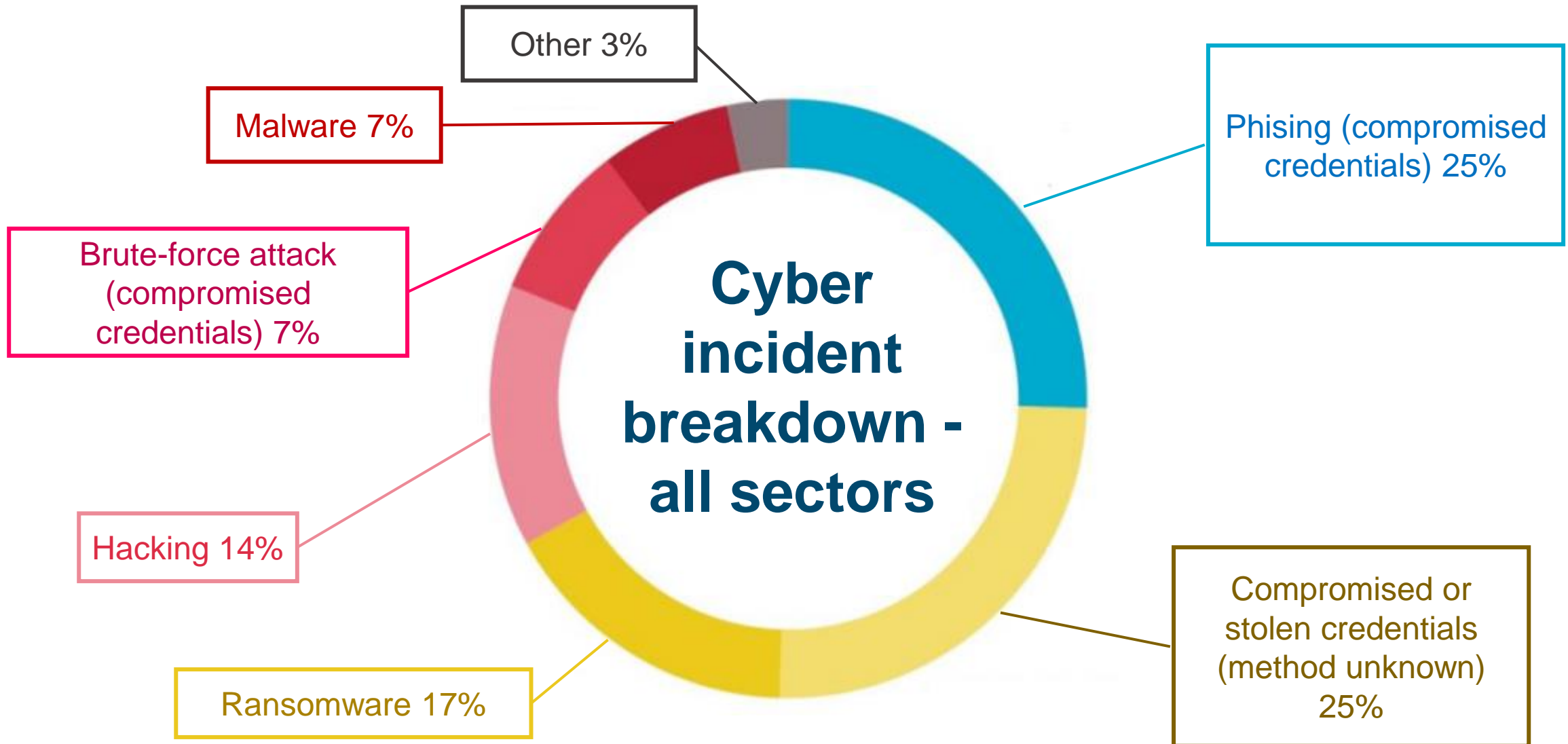## Legislation to Provide for Scheme

- A draft bill was released for consultation in May, with submissions closing on 18th June.

- Scheme will provide for mandatory notification of data breaches that pose a significant risk of harm to those affected and the Privacy Commissioner.

- Scheme will cover all NSW Government agencies, including Government departments, public universities and local councils.

- Submissions provided during the consultation process are currently being considered, to inform any changes needed to the scheme before the bill is introduced into Parliament.

# What causes data breaches?

**Source of data breaches - all sectors**

System fault 5%

Malicious or criminal attack 58%

Human error 38%

# What causes data breaches?

Other 3%

Malware 7%

Brute-force attack (compromised credentials) 7%

Hacking 14%

Ransomware 17%

Phising (compromised credentials) 25%

**Cyber incident breakdown - all sectors**

Compromised or stolen credentials (method unknown) 25%

**Source:** OAIC Notifiable Data Breaches Report July – December 2020

# Resources for agencies

- Guide – Transition to the cloud: Managing your agency's privacy risks: www.ipc.nsw.gov.au/node/2179

- IPC Voluntary Data Breach Notification guidance: www.ipc.nsw.gov.au/node/437

- A Guide to Privacy Impact Assessments: www.ipc.nsw.gov.au/node/1580

- Fact Sheet – Privacy by Design: www.ipc.nsw.gov.au/node/1648

- Guide – Seeking a Public Interest Direction under NSW privacy laws: www.ipc.nsw.gov.au/media/689

Other resources are available via the IPC website www.ipc.nsw.gov.au/privacy

# Connect with us

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