Quarterly Report on IPC Regulatory Priorities Q4 2021/22: April to June 2022

July 2022

Regulatory Plan Initiatives Status

Regulatory Priority 1 – Ensure the IPC has the capacity to identify risks and effectively support agencies to uphold privacy and information access rights in contemporary models of service delivery.

Status	Project/Initiative	Complete
Finalised	• **P2|9 -** Build upon the agency self-evaluation model by enhancing use of self-assessment tools and governance models to embed requirements.	100%
In-progress	• **P2|6 -** Work with national and international information access and privacy groups to maximise influence.	50%
	• **P3|2 -** Support agencies to build their capacity to respond to data breach events.	50%
	• **P2I4 -** Provide content for the preparation of guidelines and guidance to assist agencies to comply with legislation, including the MNDB.	25%
	• **P3|10 -** Review existing format of review report templates to better communicate outcomes and findings with a focus on accessibility and audience.	20%
	• **P3|9 -** Deliver proactive audits informed by key risks and new and emerging issues.	20%
	• **P3|7 -** Review regulatory framework with focus on changing/ emerging issues and systemic issues response.	10%

Regulatory Priority 2 – Maximise strategic and operational regulatory engagement with all sectors and demonstrate value to citizens and agencies.

Status	Project/Initiative	Complete
In-progress	• **P2|8 -** Contribute to the new IPC IT strategy by investigating potential technological tools to support proactive compliance audit program to maximise reporting.	80%
	• **P3|1 -** Provide content to assist CCA develop helpful and accurate published advice to guide citizens to understand their rights and agencies to understand their obligations.	25%
	• **P1|2 -** Further develop relationships with integrity agencies (e.g., SARA, Ombudsman), other NSW Government agencies and practitioner networks to produce information on emerging statutory and regulatory developments and challenges, and provide specific advice tailored for individual agencies.	10%
	• **P2|7 -** Deliver collaborative pieces of guidance with relevant agencies on how technologies link to compliance obligations (e.g. archive/searching, what is a record, cc v bcc for email).	10%
	• **P3|8 -** Target new regulatory guidance informed by the top three recurring issues/considerations within agencies for improved decisions making (for example amendment to health, information not held, section 61).	10%
	• **P1|4 -** Proactively prepare materials for setting expectations for what IPC can and cannot do.	10%

Regulatory Priority 3 – Citizens have confidence in the way in which the NSW Government handles their personal and health information.

Status	Project/Initiative	Complete
Finalised	• **P1|1 -** Identify cases (including test cases), conduct research and prepare briefings for responsible Ministers to assist in maintaining currency of legislation	**100%**
	• **P3|6 -** Review the existing published voluntary data breach resources and tools for currency and continued application	**100%**
In-progress	• **P3|5 -** Develop new policies, templates and procedures for the MNDB, including by liaising with OAIC where appropriate	**90%**
	• **P3|4 -** Develop and implement MNDB project plan.	**50%**
	• **P3|6 -** Review and update advice on digital government from a privacy and information access perspective	**25%**
Yet to commence	• **P2|14 -** Disseminate resources to agencies on implementation of MNDB Scheme and drive engagement with practitioners and 'champions'.	**0%**

Regulatory Priority 4 – Preservation, assurance and assertion of rights under new service delivery arrangements.

Status	Project/Initiative	Complete
Finalised	• **P2|1 -** Further develop relationship with IPAC to support delivery of strategic IPC priorities	**100%**
In-progress	• **P2|3 -** Advise on agency projects in accordance with IPC's functions (e.g. Digital Restart Fund) and obtain feedback on advice.	**80%**
	• **P2|12 -** Provide enhanced guidance on retrieving records and conducting searches	**40%**
	• **P3|3 -** Engage with academics and other experts to deliver thought leadership pieces that are clearly separate from other guidance on existing legislation (e.g. on asymmetry between government sharing and citizen access and/or access to digital records)	**10%**

*Regulatory initiative has two corresponding strategic initiatives.

Reporting Priorities by Percentage

There are 23 Regulatory Initiatives listed under the four Regulatory Priorities in the IPC Regulatory Plan 2022-2024, which commenced in Q3 2021/22.

In this quarter of reporting (Q4 2021/22), the IPC:

- finalised **4 (17.4%)** of the 23 Regulatory Initiatives

- is progressing **18 (65.2%)** initiatives

- is yet to commence **1 (4.3%)** initiative.

The IPC's Regulatory Plan commenced in 2022 and between January 2022 and June 2022, **4 (17.4%)** Regulatory Initiatives were finalised.

Priority Status Overview

Date	Finalised	In-progress	Yet to commence	
Past Quarter	0	17 (73.9%)	6 (26.1%)	
Net change this quarter	↑4 (17.4%)	↑1 (4.3%)	↓5 (21.7%)	
To date* (Q4 21/22)	4 (17.4%)	18 (65.2%)	1 (4.3%)	

*As at 1 July 2022.