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Media release

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NSW Information Commissioner commences research into informal release of information by public sector agencies

Today, the NSW Information Commissioner, Elizabeth Tydd, has announced the commencement of research to examine the use of the Informal Release pathway under the *Government Information (Public Access) Act 2009* (NSW) (GIPA Act), supported by the University of New South Wales.

Under the GIPA Act, citizens have a right to request information informally from agencies without having to complete and submit an application or pay the application fee. It also allows agencies to impose reasonable conditions to the release of information. There are no agency reporting requirements for the informal release pathway. The use of Informal release provides a low cost and effective way for access to government information.

The research will involve direct engagement with public sector agencies and a literature review aimed to identify opportunities to harness use of the informal access pathway. To inform the research, engagement with select agencies will be conducted via a written survey to give agencies an opportunity to share and reflect on their informal release reporting practices, and their agency-wide application management practices. The IPC has today issued the survey to a sample of agencies across NSW government departments, state-owned corporations, universities, and local councils.

In addition to the survey, a literature review will examine the reporting and legislative requirements for the release of government information globally, particularly in the context of informal release. The results of the research will inform the IPC of best practice and through its direct engagement with agencies, offer a comprehensive analysis of how informal release in other jurisdictions compares with NSW.

Commissioner Tydd said, “The IPC is committed to maximising public access to information and this research will provide invaluable insight into the information governance and release practices of NSW public sector agencies, and how this aligns with other jurisdictional practices globally.

“In 2020/21, the number of formal applications for information received by NSW agencies increased by an unprecedented 30%, the largest increase in over a decade of reporting. Considering this rapid growth in formal information access requests, the outcomes identified by this research will contribute to the right to access information by promoting administrative arrangements to facilitate informal, rather than formal, access and proactive release programs by NSW agencies.

“I look forward to commencing this research and sharing its findings and recommendations with agencies to better support informal release and improve the outcomes of citizens informal requests for information.”

Upon completion, the results of the research will be made available via the IPC website.

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About the Information and Privacy Commission:

The Information and Privacy Commission NSW (IPC) is an independent statutory authority that administers New South Wales' legislation dealing with privacy and access to government information. The IPC supports the Information Commissioner and the Privacy Commissioner in fulfilling their legislative responsibilities and functions and to ensure individuals and agencies can access consistent information, guidance and coordinated training about information access and privacy matters.

About the NSW Information Commissioner

The NSW Information Commissioner's statutory role includes promoting public awareness and understanding of the *Government Information (Public Access) Act 2009* (GIPA Act); providing information, advice, assistance and training to agencies and the public; dealing with complaints about agencies; investigating agencies' systems, policies and practices; and reporting on compliance with the GIPA Act.

The *Government Information (Information Commissioner) Act 2009* (GIIC Act) establishes the procedures for appointing the Information Commissioner and sets out the Commissioner's powers and functions. It outlines the method for people to complain about the conduct of agencies when undertaking their duties under the GIPA Act, and the way in which the Information Commissioner may deal with the complaint. The GIIC Act also enables the Information Commissioner to investigate and report on how agencies carry out their functions under the GIPA Act.

For further information about the IPC visit our website at www.ipc.nsw.gov.au