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## Media release

23 May 2023

### Highest number of applications for government information in over a decade revealed in NSW Information Commissioner report

The NSW Information Commissioner, Information and Privacy Commission (IPC) CEO and NSW Open Data Advocate, Elizabeth Tydd, yesterday released the [2021/22 Report on the Operation of the Government Information \(Public Access\) Act 2009](#) (GIPA Act) (the Report).

Under section 37 of the *Government Information (Information Commissioner) Act 2009* (GIIC Act), the Information Commissioner is required to provide Parliament with an annual report on the operation of the GIPA Act. The Report examines the performance of over 250 public sector agencies, provides important guidance to policymakers and agency heads, and promotes greater transparency for the NSW community.

The Report found that the number of applications received in 2021/22 is the highest recorded in over a decade. The number of applications for information received by agencies increased by 6% in 2021/22, with 23,789 valid applications received compared with 22,349 in the previous financial year.

Information Commissioner, Elizabeth Tydd said, “The results across the past decade of reporting demonstrate that significant maturation and effective regulation has ensured that overall, the formal access pathway under the GIPA Act and Information Commissioner review functions are working effectively.

“While the public sector has recorded the largest number of applications since 2011, the results suggest that applications have stabilised while continuing to grow at a consistent rate, following the significant increase reported in 2020/21 (30%).

“Consistent with previous years, the Government sector continued to account for the great majority of valid applications with 19,250 made in the reporting period, which represents a moderate increase of 8% from 2020/21.

“The percentage of applications made by members of the public also remains at a record high of 83%, consistent with the previous year. This continues to confirm the value that citizens place on exercising their rights under the GIPA Act.”

The report found that the rate of deemed refusals remained stable 1% in 2021/22. This low level is of note, given the steady increase in deemed refusals previously reported between 2015/16 and 2018/19 and in the context of the continued increase in valid applications received in 2021/22.

Commissioner Tydd said, “Although timeliness of decisions declined slightly, with 88% of decisions made within the statutory timeframe, compared with 92% in 2020/21, this has not resulted in an increase in deemed refusals. Rather, the number of applications decided after 35 days by agreement with the applicant, increased by 4%.

“This year there is a 6% increase in applications to access government information, which again reinforces that citizens are placing a high value on their right to access government information but more importantly are exercising this right.



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“With promising results this year, there still remains areas for growth in relation to the other pathways under the GIPA Act to ensure that the Act’s vision for transformation from closed government information to open by default is achieved.”

This year, like previous years, compliance by Government departments with their requirements to meet their five additional open access requirements continues to remain low.

Commissioner Tydd said, “Although we’ve seen continuous improvement, there is ongoing concern over the low levels of compliance with agencies meeting their open access requirements. This month, the IPC is releasing updated Information Governance Self-assessment Tools to assist agencies with compliance and further mature their information access governance and practices.

“Throughout my time as Information Commissioner, I have seen significant growth and maturity from NSW agencies in their governance practices and outcomes. However, as far as we have come, this Report reflects that there is still room to further grow so that we can best support and serve the citizens of NSW.

“As this is my last Report as Information Commissioner, I would like to extend my sincere thanks and appreciation for the continuous hard work of NSW agencies, practitioners, and IPC staff over the past decade in promoting, supporting and advocating for the right to access information.

“I encourage all agencies and practitioners to read and consider this Report”.

The Report can be accessed via the [IPC website](#). A [dashboard with individual agency performance data](#) is also available.

**ENDS**

**For further information, please contact:**

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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



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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 GIPA 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](http://www.ipc.nsw.gov.au)

