

## **Audit and Risk Committee Meeting – Information & Privacy Commission NSW (IPC)**

---

**Wednesday, 29 November 2017 – 2.30pm to 5.00pm**

**Meeting No. 33**

**Minutes**

The Audit and Risk Committee meeting was declared open at 2.30pm by the Chairperson.

### **1. Attendance**

**Members:**

Ms Lyn Baker (Chairperson) (LB)  
Mr Paul Crombie (PC)  
Mr Malcolm Clinch (MC)

**Attendees:**

Mr Robert Hayek, Audit Office (RH)  
Ms Kylie McRae, O'Connor Marsden (KM) *proxy for Ms Pamela Robertson-Gregg*  
Mr Harry Lan, Department of Justice (HL)  
Ms Elizabeth Tydd, Information & Privacy Commission (ET)  
Ms Chantal Snell, Information & Privacy Commission (CS)  
Ms Sonia Minutillo, Information & Privacy Commission (SM)

**By Invitation:**

Ms Samantha Gavel, Information & Privacy Commission (SG)

**Minutes:**

Ms Desiree Smith, Information & Privacy Commission (Minutes) (DS)

**Apologies:**

Ms Pamela Robertson-Gregg, O'Connor Marsden  
Mr Ashley Hawkins, Department of Justice

### **Item 2**

#### **2A. Declarations of Interest**

MC provided an up to date declaration of interest to the committee. Committee acknowledged and noted the received declaration.

Chairperson asked for any changes or additional declarations of interest from committee members. All members confirmed there were no changes.

#### **2B. Disclosures**

MC provided an up to date disclosure to the committee. Committee acknowledged the received disclosure and commended MC on the document format.

**Action Item 1:** MC agreed for the IPC to provide disclosures template to LB and PC in Microsoft Word format for their use.

### **Item 3**

#### **3A. Minutes of Previous Meeting**

Minutes of meeting held on 16 September 2017 were approved and adopted by committee, pending the following changes:

- Wording on page 1 to be amended to “committee” in place of “board”.
- “PC Revised Internal Audit Manual and Charter” sentence on page 4 to be deleted.
- Service level agreement is out of date and to be amended to the current version.

**Action Item 2:** DS to update previous minutes as above described and circulate to LB for approval out of session.

**Action Item 3:** Publish minutes of 16 September 2017 on the IPC website, once signed by LB.

### **3B. Rolling Action Report**

The committee noted the Rolling Action Report and all completed matters. Members discussed the following action items and their outcomes.

- Action item 27.2 – Financial reports to be discussed in item 5 with the monthly dashboard. Item closed.
- Action item 29.8 – Legislative compliance register provided to AR. Item closed.
- Action item 30.9 – Item discussed in agenda item 2.B. Item ongoing.
- Action item 40.10 – SAP issues and the merging for the role of the Privacy Commissioner and the IPC are discussed in meeting papers. Item closed.

## **Item 4**

### **4A. Update from the Chairperson**

The chairperson expressed her appreciation for the professional commitment and contribution of Roxane Marcelle-Shaw who has left the IPC as of 24 November 2017 and thanked Roxane on behalf of the committee.

### **4B. Update from the Chief Executive Officer / Information Commissioner**

The committee noted the written update provided by the Chief Executive Officer / Information Commissioner. A further verbal update was provided to the committee by ET.

- Case Management is achieving at a high level in the privacy space, which heightens customer service across the agency.
- ET expressed gratitude for Roxane Marcelle-Shaw's service to the Audit and Risk Committee and service to the IPC.

### **4C. Update from the Privacy Commissioner**

SG provided the committee with a verbal update.

- SG commended on the work of the IPC teams who have successfully worked to reduce the time frames of privacy related work.
- SG advised she has provided presentations to the following stakeholders at recent engagements:
  - In-house Government-Lawyers.
  - Independent Commission Against Corruption Conference.
  - ICT & Digital Leadership Group.
  - Practitioners Forum.
- SG has observed and is impressed with the capabilities and commitment of the IPC team. The work being undertaken by the Privacy team is across the whole of government.

The chair expressed her appreciation of the opportunity to attend the privacy training, saying it had reinforced for her the complexity of this area. LB and other committee members who attended said it was a positive training experience.

## **Item 5 – Agency Planning and Reporting**

### **5A. Quarterly report to the Attorney General – Q1, 2017/18**

CS advised a quarterly update to the Attorney General was sent on the 17th October 2017 and the CEO/Information Commissioner and the Privacy Commissioner have been invited to brief the Attorney General on the updates on the 5th December.

A copy of the report was received and noted by the committee.

## **5B. Quarterly report to Minister Dominello – Q1, 2017/18**

A copy of the report was received and noted by the committee.

## **5C. Finance Report**

A copy of the financial report and dashboard was received and noted by the committee.

CS provided an overview and update on the finance report to the committee:

- The IPC has collaborated with the Department of Justice (DoJ) to provide greater internal controls over the management of the IPC financial arrangements through the implementation of monthly meetings to review the financial status, processes and risks.
- A financial report and dashboard has been prepared by the IPC and it was agreed with the DoJ the reports will be presented each month by approximately the 7th of that month by the IPC.
- Issues are still being experienced with the SAP system.

### ***Financial Processing***

CS provided an update on the quarter's financial processing matters

**Action Item 4:** CS to liaise with HL to organise the intercompany settlement

### ***Service Level Agreements (SLA)***

CS advised the IPC has obtained a high level Service Level Framework and has been invited to provide comments in response.

## **5D. Dashboard Update**

MC has prepared the financial dashboard in a new format which was provided and noted by the committee. CS commends MC's amendments to the financial dashboard and provided positive feedback in relation to the new version's formatting, advising it is now more easily interpreted and read.

**Action Item 5:** CS to review and utilise the formatting of the version prepared by MC for the future financial dashboards.

CS expressed her gratitude for MC's participation in the finance meeting held on 6 November 2017 between the IPC and the DoJ. MC commented that the monthly finance meetings and the engagement from the DoJ were very positive and should be commended. MC encouraged the meetings to continue.

## **5E. Business Planning**

CS provided an update to the committee on the IPC business planning:

- A decision was made to delay the planning process to allow the business plan to reflect the reintegration of privacy following the appointment of the new Privacy Commissioner who commenced on the 4 September 2017.
- A business planning workshop was held on the 2 November which was attended by the IPC Executive, Managers and Senior Officers from the IPC as well as Mal Clinch from the Audit and Risk Committee.
- A draft of the Business Plan has been prepared and is holistic and recognises the need for a combination of both information and privacy areas.

## **Item 6 – Risk Management**

Committee received and noted the provided IPC Risk Register.

**Action Item 6:** ET to provide the Audit and Risk Committee with the draft IPC Business and Regulatory Plan for 2017-2019 and the final version once finalised.

**Action Item 7:** KM to review the draft IPC Business and Regulatory Plan for 2017-2019 and meet with the IPC Executive Team to conduct a risk identification and treatment workshop.

### **Item 7 – Internal Audit**

The committee reviewed and noted the status registers provided. Committee endorsed the closure of the following:

- Recommendations Status Register for the P-Card and Delegations internal audit under a watching brief.
- Recommendations Status Register for the EDRMS Implementation internal audit.
- Recommendations Status Register for the Legislative Feedback internal audit.
- Recommendations Status Register for the internal audit function Quality Assessment.

**Action Item 8:** KM to provide the Internal Audit Benchmarking to the committee out of session. KM to discuss the request for visibility over the DoJ internal audit plans with the Chief Audit Officer of DoJ. IPC to relay the request to see the DoJ Internal Audit findings.

### **Item 8 – External Audit**

Committee received the provided Management Letter for the 2016-17 Annual Financial Statements from the Audit Office NSW. The committee noted the recommendations made and the management response to the Management Letter.

**Action Item 9:** IPC to provide an update with the details on which IPC policy reviews were prioritised and provide advice of the status of these reviews at the next Audit and Risk Committee meeting.

### **Item 9 – Legislative Compliance Register**

The committee received and noted the report and the Legislative Compliance Register.

### **Item 10 – Review of the ARC Charter Annual Calendar Items for Quarter 2 of 2017-18**

Committee members discussed the calendar of items for review in quarter 2 of 2017-18.

The committee noted the ARC Charter Annual Calendar for quarter 2, 2017-18.

### **Item 11 – General Business**

#### **11A. Proposed schedule for 2018**

The committee confirmed the proposed meeting dates for 2018.

LB wished all attendees Merry Christmas and a happy New Year.

The meeting was declared closed at 4.10pm.