

NSW Right to Information/ Privacy Practitioners Network

Minutes of meeting held 16 November 2016
Theatrette, Parliament House, Macquarie Street, Sydney

Item 1: Marianne opened the meeting, paid respect to the traditional owners of the land and welcomed everyone.

Apologies quite a number of apologies received for this meeting. Too numerous to mention them all. Of significance was the Department of Justice, whose representative was meant to provide an update on the review of the GIPA Act. The Chair will continue to press for them to present at a future meeting. Anna Johnston, who usually provides our privacy updates is in Canberra and was part of the Privacy Summit earlier in the week, which will be mentioned at item 4.

Action 1: Chair to invite Department of Justice to provide update on GIPA Act review at future meeting.

Item 2: The Minutes of the previous meeting were circulated and also placed on the website for members to access (thanks to Lauren Schneider). An update on the actions from the last meeting was given, as follows:

All 13 actions were completed, except Action 9, which will be completed in item 3 of today's meeting with the update from the Consultative Group. In respect of action 4, no questions have been posed by members for uploading to the website as yet. Action 12 has concluded in the February meeting to be held at Gosford. This also happens to coincide with renovations at Parliament House, which means we are unable to use the Theatrette for our meeting during January-March, so perfect timing. The details of the location of Work Cover at Gosford will be provided on the network and in the email with the agenda for the next meeting. There is the facility to attend using skype and those details will also be similarly provided.

Item 3: Sonya Stewart presented the reports from the Consultative Group's meeting with each of the Commissioners. With the assistance of other members of the Group, questions and business arising was discussed.

Item 4: Discussions about the following topics then took place:

- Auditor General's report on agency compliance with the GIPA Act
- How to respond to requests from [Nigel Gladstone](#), knowing information will be made publicly available on the website: www.righttoknow.org.au
- Would conditions allowable under section 8(2), include an agency's request for an informal request to be made on an application form?
- Compliance with contract provisions of the GIPA Act and the need for further assistance from the IPC
- Transfer of information of agencies that amalgamate (e.g. councils)
- Privacy summit hosted by iappANZ on 14 November 2016 – noteworthy was the likely introduction of an Accreditation Scheme for Privacy Practitioners in 12-18 months' time; the Privacy Act (Notifiable data Braches) Bill; Privacy Act (Re-identification Offence) Bill; General Data Protection Regulation being

introduced in the EU and its likely impact on Australia; as well as blurring of privacy between work, home and play

- Robert Sparshott provided an update on the half-day workshop for iappANZ on *Designing Privacy Controls into Project* held by Anna Johnston that he attended on 15 November 2016.
- Redactions – Tim shared a website of talented redactions
- Providing services to other agencies, how that is handled
- Proactive release of information
- Internal review under the PPIPA and new guidelines/ factsheet.

Action 2: Consultative Committee to ask the Privacy Commissioner about the Accreditation Scheme for Privacy Practitioners proposed by Mr Timothy Pilgrim, Federal Privacy Commissioner (at the iappANZ summit 2016) to commence in 12-18 months and the impact or flow on effect for NSW Privacy Practitioners, if any.

Item 5: Megan Carter advised of her training in November, and practitioners were advised to check our website for other training providers.

(Note: Agenda contained no item 6)

The morning tea break was held from 10:30 – 11:00

Item 7: Peter Timmins provided an update on various GIPA/FOI issues.

The following links were included in his presentation:

Peter's Open and Shut blog: <http://foi-privacy.blogspot.com.au/>

Scroll down to October 11 Sharing FOI wisdom

International investigative journalism <https://www.icij.org/>

<http://www.vice.com/author/jason-leopold>

Then on the Open Government Partnership: <http://www.opengovpartnership.org/>

Australia's National Action Plan: <https://ogpau.govspace.gov.au/>

Australian Open Government Partnership Network <https://opengovernment.org.au/>

Item 8: Elizabeth Tydd, Information Commissioner, presented her update.

Provided descriptions of the Open Government Partnership and general information on open access.

Gave details about the Australian Information Access Commissioners' conference.

Presented some highlights from the 2015/16 IPC Annual Report.

Introduced the network to a few new tools, such as the contracts e-learning module and the Open Data Infographic.

Item 9: Elizabeth Coombs, Acting Privacy Commissioner, presented her update.

Elizabeth covered the following points:

- The NSW budget papers understated privacy matters
- NCAT has seen a 100% increase in privacy matters
- The 2015/16 annual report has been tabled in Parliament
- Data Analytics Centre (DAC) – when requesting information, agencies should note that this does not include legal, commercial and personal information. A Round table discussion is being held with DAC in the near future.

Item 10: John McDonnell from the Crown Solicitors Office (CSO) presented a number of cases that had been decided in respect of applications under the GIPA Act. A copy of the mentioned cases can be found on the Network's website. This list in an Excel spreadsheet covers the cases discussed at today's meeting (Tab 1) as well as cases discussed to date at our meetings (Tab 2).

Item 11: Questions from the floor were received and discussed.

Item 12: Meeting dates for 2017 were advised, including that the meeting to be held on 15 February 2017 will be held at Gosford in the Work Cover building in Donneson Street. Details will be placed on the website.

There are renovations being undertaken at Parliament House and the Theatrette is unavailable until at least March 2017.

All network meeting dates for 2017 are as follows:

February 15
May 17
August 16
November 15

Action 3: Chair to ensure details of meeting dates for 2017 as well as address and Skype details for Gosford meeting in February are available on website.

Meeting closed at 12:30.