



**Office of the Information Commissioner**  
Queensland

**Compliance audit – Ipswich City Council**

Ipswich City Council's compliance with the *Right to Information Act 2009* (Qld) and the *Information Privacy Act 2009* (Qld).

The Office of the Information Commissioner thanks the Ipswich City Council for its cooperation throughout the audit and for the courtesy displayed towards the assessing officers.



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May 2018

Mr Peter Russo MP  
Chair  
Legal Affairs and Community Safety Committee  
Parliament House  
George Street  
Brisbane QLD 4000

Dear Mr Russo

I am pleased to present 'Compliance audit – Ipswich City Council: Ipswich City Council's compliance with the *Right to Information Act 2009* (Qld) and the *Information Privacy Act 2009* (Qld)'. This report is prepared under section 131 of the *Right to Information Act 2009* (Qld).

The report reviews compliance with the legislation and guidelines that give effect to the right to information and information privacy. The report identifies areas of good practice and makes recommendations for improving compliance.

In accordance with subsection 184(5) of the *Right to Information Act 2009* (Qld) and subsection 193(5) of the *Information Privacy Act 2009* (Qld), I request that you arrange for the report to be tabled in the Legislative Assembly.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rachael Rangihaeata'.

Rachael Rangihaeata  
**Information Commissioner**



# Table of contents

<b>Summary</b> .....	<b>1</b>
<b>Recommendations</b> .....	<b>5</b>
<b>1. Introduction</b> .....	<b>7</b>
1.1 Background	7
1.2 Objective	8
<b>2. Leadership and governance</b> .....	<b>9</b>
2.1 Introduction	9
2.2 Conclusion	10
2.3 Results	10
<b>3. Culture of openness</b> .....	<b>15</b>
3.1 Introduction	15
3.2 Conclusion	16
3.3 Results	17
<b>4. Compliance</b> .....	<b>29</b>
4.1 Publication scheme	29
4.2 Application handling	31
<b>5. Privacy</b> .....	<b>39</b>
5.1 Collecting and handling personal information	39
5.2 Camera surveillance	42
<b>Appendices</b> .....	<b>47</b>
Appendix 1 – Agency response and action plan	49
Appendix 2 – Audit methodology	61



## Summary

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This report details the findings of our audit of Ipswich City Council's compliance with the *Right to Information Act 2009* (Qld) and the *Information Privacy Act 2009* (Qld).

The legislation requires government agencies to:

- make government-held information available to the public as a matter of course, unless there is a good reason not to
- safeguard personal information.

The push model supports accountability and transparency, and builds community trust in government agencies.

Information in a government agency's possession or control is a public resource and a strategic asset. Effective information governance and management facilitates openness and transparency and increases public participation.

During the audit period (July 2017 to March 2018), Ipswich City Council has embarked on a major program of change following a review it commissioned in July 2017. The council has started to transform its governance arrangements, corporate planning and reporting, information and communications technology. It also took the initiative to implement some of our suggested improvements during the audit. Ipswich City Council has the opportunity to embed consistent, efficient and compliant right to information and information privacy practices as it progresses in its change program.

### Conclusions

Ipswich City Council shows its commitment to right to information and information privacy by incorporating the principles of openness and transparency and the intent of the *Right to Information Act 2009* in its statement of commitment and corporate documents.

The council has put this commitment into practice in some areas. There is more the council can do to proactively release information and fully realise the aims of the *Right to Information Act 2009* and the *Information Privacy Act 2009*.

For example, the council offers a range of administrative access arrangements from its 'Online services' webpage. This means it can provide information more simply and efficiently. However the council does not effectively promote these arrangements ahead of formal right to information and information privacy applications.

Ipswich City Council has various elements of information governance but there is no cohesive framework that brings these elements together. As a result, it is difficult for the council to measure its progress in right to information and information privacy.

Overall, Ipswich City Council handles right to information and information privacy applications according to its legislative obligations. In particular, it processes applications quickly and with a focus on client service. The application handling manual and templates are not as effective as they could be to support decision makers.

The council substantially complies with the *Information Privacy Act 2009* when collecting personal information. This is a good strategy to build community trust and confidence in its personal information handling practices.

### **Key findings**

The council recognises right to information and privacy principles in high level plans. However, it has not systematically identified the information suitable for public release. During our audit, it has adopted a directive about classifying and handling information assets, including identifying information suitable for release. If information owners assess the assets under their control, the council will have a resource to support maximum disclosure of information, as the *Right to Information Act 2009* intends.

The council expresses its commitment to community engagement in various corporate documents. It has a *Community and Stakeholder Engagement Guide* and sound community engagement practices in specific council departments.

The stakeholders we consulted were very positive about their relationship with the council, describing the interactions as two-way and open. The 36 respondents to our public survey were less favourable. More than half (23 respondents) reported having a worse perception of the council's openness as a result of their experience in seeking to access information.

Over the last five years, about 400 council staff completed online training sessions, primarily about information privacy. This is useful, and we support council's initiative to provide further training and guidance required for staff to understand the policies and procedures that apply specifically in their work environment. In particular, we support the council conducting training and refreshing staff awareness about their roles and responsibilities when responding to requests and applications for information.



Ipswich City Council has a sound organisational structure for making decisions on applications for information. It handled audited applications in accordance with the *Right to Information Act 2009* and the *Information Privacy Act 2009* and has some good practices. In particular, the council processes application files quickly and with a focus on delivering services and results to applicants.

We audited 16 application files the council received between 1 January 2016 to 30 June 2017. We identified some technical procedural issues that affected the efficiency and accuracy of the application handling process.

For example, while the council has template documents and a manual about application handling, these resources do not support an efficient process as well as they should. About a third of templates contain minor or technical inaccuracies. As a result, the decision makers or file managers often create a substantially correct document rather than use an available template.

The council's publication scheme addresses the legislative requirements in its format and general structure. There is more work to do to populate all information classes with significant, accurate and appropriate information, particularly, for example, linking directly to policies and lists.

Ipswich City Council is open and transparent about why it collects personal information, and how it manages, uses and discloses that information. It has a particularly good resource in its *Ipswich City Council Personal Information Digest*. It substantially complies with the *Information Privacy Act 2009* when collecting personal information. This enhances its accountability and builds community trust and confidence in its personal information handling practices.

The Safe City camera surveillance system is a mature system, with policies, procedures and organisational strategies that have built-in protections for privacy and data security. However the council's other systems (asset protection, and portable audio-visual recording devices, for example body-worn cameras) operate without these structural protections.

A privacy impact assessment will assist the council to identify and address its privacy obligations when collecting footage, storing footage securely and giving people access to footage.



## Recommendations

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**We recommend that Ipswich City Council:**

### **Recommendation 1**

within eighteen months, develops and implements an information governance framework and supporting documented policies and procedures to drive right to information and information privacy aims.

### **Recommendation 2**

within twelve months, designs and implements training on right to information and information privacy:

- general obligations
- policies and procedures specific to the council

for inclusion in its induction and awareness training, mandatory for all staff.

### **Recommendation 3**

within eighteen months, implements performance measures for access to information and privacy principles aligned with its corporate planning and reporting framework.

### **Recommendation 4**

within three months, makes its right to information webpage and statement of commitment to right to information more visible and prominent on its website.

### **Recommendation 5**

within three months, promotes administrative access arrangements on its right to information webpage, ahead of directing people to the legislative application process.

### **Recommendation 6**

within eighteen months:

- identifies and classifies information assets
- ensures it publishes information that is significant, appropriate and accurate.

### **Recommendation 7**

within six months, populates the publication scheme with significant, accurate and appropriate information, with direct links to the information.

**Recommendation 8**

within twelve months, reviews its template documents and manual for application handling and ensures the documents are accurate, up-to-date and support legislatively compliant application handling and good practice.

**Recommendation 9**

within twelve months, communicates interactively with all council departments about their roles and responsibilities in response to applications for information made under the *Right to Information Act 2009 (Qld)* or *Information Privacy Act 2009 (Qld)*.

**Recommendation 10**

within eighteen months, addresses privacy issues in structured and documented policies, procedures and strategies for the Corporate Surveillance Security System and portable audio-visual recording devices.

**Recommendation 11**

within twelve months, installs physical signs and notices, including for public spaces, buildings and vehicles, to make people generally aware that it is using cameras to collect personal information in the vicinity of the notices.

**Recommendation 12**

within six months, conducts a privacy impact assessment of all its camera surveillance systems, and develops documented data storage and security strategies to manage any risks that the privacy impact assessment identifies.

# 1. Introduction

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## 1.1 Background

The local government of Ipswich City Council spans an area of 1,096 square kilometres. It is within an hour's drive of Brisbane, the Gold Coast and domestic and international air and sea ports.

Ipswich has a population of approximately 200,000 people. In 2016-17, the council employed the equivalent of 1042 full time staff.<sup>1</sup> It had a revenue of approximately \$359 million and issued over 30,000 licences, permits and registrations.<sup>2</sup>

Ipswich City Council reported receiving 33 applications under the *Right to Information Act 2009* and 5 applications under the *Information Privacy Act 2009* in 2016-17.<sup>3</sup>

We received five applications for external review of the council decisions in 2016-17.

In July 2017, Ipswich City Council asked consultants, Reinforcements Management Consulting, to review the interaction of elected members with the administrative organisation and provide assurance that the council's policies, processes and procedures reflected appropriate integrity and effectiveness.<sup>4</sup> The consultants made 19 recommendations for improved transparency and governance. The council adopted the report in full on 19 September 2017.<sup>5</sup> This coincided with a change of Mayor (31 August 2017) and Chief Executive Officer (19 September 2017). The Acting Chief Executive Officer reported to council that 11 of the 19 recommendations are implemented as of April 2018.

The council has embarked on a major program of change to its governance arrangements, corporate planning and reporting, information and communications technology function, human resources activities – including training - and website. It has established a committee responsible for implementing the recommendations, and a number of long term projects.

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<sup>1</sup> Ipswich City Council Annual Report 2016-2017

<sup>2</sup> Ipswich City Council Annual Report 2016-2017

<sup>3</sup> Right to Information Act 2009 (Qld) and Information Privacy Act 2009 (Qld) Annual Report 2016-17

<sup>4</sup> Report for Ipswich City Council 'Governance Review', 31 July 2017.

<sup>5</sup> Confirmed Minutes of Council Ordinary Meeting 19 September 2017, recorded that the council received and adopted the *City Management, Finance and Community Engagement Committee report No. 2017(09)* (CMFCE report) of 12 September 2017. The CMFCE report recommended that the council endorse the findings and resolve to implement the recommendations of the Governance Review.

Our audit commenced as these projects were starting, and in a time of transformation. The council advised:

*Prior to the Governance Review reporting being published, Corporate Services had already started reviewing its processes regarding right to information/information privacy and areas of improvement regarding website/intranet content, templating etc identified. Resources at that time were constrained and work undertaken as part of BAU [business as usual] was occurring in this regard. The ability to continue to progress this further as at this stage been put on hold to enable the finalisation of the OIC Compliance review. Once the OIC review is completed an issues register will be created (already being compiled) and incorporated into this activity.*

## **1.2 Objective**

The objective of this audit is to:

- establish whether Ipswich City Council is complying with the prescribed requirements of the *Right to Information Act 2009* (Qld) and *Information Privacy Act 2009* (Qld)
- identify areas of good practice
- make recommendations about any improvement opportunities identified.

We conducted this audit under section 131 of the *Right to Information Act 2009* (Qld) and section 135 of the *Information Privacy Act 2009* (Qld). We undertook the fieldwork from July 2017 to March 2018.

Appendix 1 contains Ipswich City Council's response and action plan. Appendix 2 outlines our methodology.

## 2. Leadership and governance

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### Key findings

Ipswich City Council:

- has various elements of information governance but does not bring these together in an information governance framework
- has sound procedures about right to information and good policies and procedures for information privacy
- has organisational structures that support independent decision-making on applications for information
- relies on generic training and has started to provide tailored training about agency right to information and information privacy practices and policies
- does not have performance measures to guide continuous improvement of right to information and information privacy.

### 2.1 Introduction

The preamble to the *Right to Information Act 2009* recognises that information in a government agency's possession or control is a public resource. Effective information governance and management facilitates openness and transparency and increases public participation.

Agencies should manage information as a strategic asset to achieve the objectives of the *Right to Information Act 2009* and *Information Privacy Act 2009*. Their leaders need to establish a structured approach to information governance with clear roles and responsibilities.

To meet their legislative obligations and support independent decision-making, agencies also need to have adequate systems to monitor:

- the performance of their right to information and information privacy operations
- their openness and responsiveness to the community
- their compliance with legislation.

When assessing leadership and governance, we consider whether the organisational structure, position descriptions and delegations of authority support the independence of the decision-makers.

## 2.2 Conclusion

Ipswich City Council has various elements of information governance but there is no cohesive framework that brings these elements together. It allocated responsibility for information governance in a way that suggests the council is not managing information as a strategic asset.

As a result, it is difficult for the council to measure its progress in right to information and information privacy. For example, the council cannot identify whether it is pushing more information out to the public, or handling more information requests administratively instead of through legislative applications.

The council has a sound organisational structure for making decisions on applications for information and recognises right to information and privacy principles in high level plans. It also has good procedures about right to information and information privacy but no practical procedures on administrative access.

Over the last five years, about 400 council staff completed online training sessions, primarily about information privacy. This is useful but insufficient for staff to understand the policies and procedures that apply in their work environment. The council has started to provide tailored training about agency right to information and information privacy practices and policies.

## 2.3 Results

### Information management governance framework

An information governance framework with clear, measurable aims for right to information and information privacy, and supporting project plans and practical procedures, strengthens an agency's openness and transparency. Ipswich City Council has structured, general plans. The key planning documents are *Advance Ipswich* (community planning) and the corporate and operational plans. The plans include aims addressing aspects of right to information and information privacy.

The council has detailed plans for some activities listed in the operational plans, for example, capital works, and Information and Communications Technology (ICT) projects. But there are no detailed plans for activities on right to information, privacy and information governance.

The council has sound procedures about right to information and good policies and procedures for information privacy. It mentions right to information and information privacy in other policies, for example, about open data and ICT.



We identified elements missing from the suite of documents, for example a right to information policy and a practical procedure to guide staff about releasing information administratively.

### **Recommendation 1**

We recommend that Ipswich City Council:

within eighteen months, develops and implements an information governance framework and supporting documented policies and procedures to drive right to information and information privacy aims.

### **Organisational structure**

Ipswich City Council generally assigns responsibility for governance matters to council committees, for example, budget or ICT. However, it has allocated information governance, right to information and information privacy to staff in its corporate and risk management department. This could make it more difficult for the council to manage information as a strategic asset across the organisation.

The council advised it proposed a position of Information Manager to progress information governance.

Ipswich City Council has a clear organisational structure for handling legislative applications, with generally accurate and up-to-date position descriptions and explicit delegations of authority. The decision-makers are at a reasonably senior level. As they do not report directly to the Chief Executive Officer, it creates distance and independence.

### **Training and awareness**

All staff need to be aware of right to information and information privacy, to promote proactive disclosure across the agency, and facilitate effective and efficient responses to requests for information. Generic training is useful for general awareness. Specific training, tailored to the agency, helps staff understand how to apply their agency's right to information and information privacy policies and procedures. It is also an opportunity for the agency to communicate its commitment to right to information and information privacy.

Our community survey highlights the importance of consistent responses from all council staff to information requests:

- taking a pro-disclosure bias
- favouring informal release of information

- engaging with people requesting information
- giving meaningful explanations when the council requires a formal application or is not releasing information.

Ipswich City Council requires office based employees and contingent workers to undertake right to information or information privacy training, using our online modules.

Between 2013 and 2017, 400 staff completed 456 training sessions across eight different online courses we offer. In the main, they completed, or nearly completed, general awareness sessions about information privacy with very limited enrolment in sessions about right to information. Ipswich City Council has started to provide agency-specific right to information and information privacy training. We support the council's initiative to provide further training and guidance for staff to understand the policies and procedures that apply in their work environment.

## Recommendation 2

We recommend that Ipswich City Council:

within twelve months, designs and implements training on right to information and information privacy:

- general obligations
- policies and procedures specific to the council

for inclusion in its induction and awareness training, mandatory for all staff.

## Performance monitoring

Performance monitoring and reporting contributes to greater accountability and transparency. By establishing a robust framework to assess progress and compliance, agencies can determine areas of good practice and those that require additional effort.

Performance monitoring can help agencies to identify:

- information to publish proactively
- opportunities to improve the quality and efficiency of agency processes
- training needs.

Ipswich City Council has published its 2017-18 operational plan - *Ipswich City Council: Staying On Track*. The operational plan contains outcomes and deliverables directly relevant to right to information and information privacy, as shown in Figure 1.

Figure 1

Strategy 3 Implement initiatives that strengthen governance skills and knowledge.			
KEY ACTIONS	RESPONSIBILITY	OUTCOMES	DELIVERABLES
Council information is accurate and managed effectively to ensure appropriate access, confidentiality and security. (9.6/3.2)	Finance and Corporate Services	Maintain an open and transparent approach to information.	<ul style="list-style-type: none"> <li>• Provide policies and procedures that are up-to-date.</li> <li>• Maintain privacy principles and provide access to information where required.</li> <li>• Effectively manage and resolve administrative action complaints.</li> <li>• Review and maintain a strategic approach to information and retention.</li> <li>• Development and Implementation of Line of Sight Program.</li> </ul>

Source: 2017-2018 operational plan, Ipswich City Council: *Staying on Track*

Ipswich City Council reports annually on right to information and information privacy statistics as the *Right to Information Act 2009* requires. The council does not have performance measures or monitoring processes for right to information and information privacy. It intends to substantially review its progress and performance reporting, as part of its Corporate Strategy and Performance Reporting Framework review. The council said it will include right to information and information privacy in this project.

The council is establishing a new enterprise risk management framework which proposes a category of risk called *Information Confidentiality, Integrity and Accessibility*. This new category redefines the risks of ICT disruption as risks that compromise information. The council's 2016-17 annual report states that internal audit has commenced an audit of 'Information and Related Technology Security'. This topic touches on information storage and security covered by Information Privacy Principle 4.

### Recommendation 3

We recommend that Ipswich City Council:

within eighteen months, implements performance measures for access to information and privacy principles aligned with its corporate planning and reporting framework.



### 3. Culture of openness

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#### Key findings

Ipswich City Council:

- expresses commitment to community engagement in various corporate documents
- makes information available in a range of administrative access arrangements, through an 'Online services' webpage
- does not visibly promote administrative access on its right to information (RTI) webpage
- has not listed or classified its information holdings but has adopted a directive that will enable the information owners to do so
- has a Community and Stakeholder Engagement Guide and sound community engagement practices in specific council departments.

Stakeholders regarded the council as professional and helpful.

Two thirds of the community members who completed our survey perceived the council as less open and transparent after they sought information from the council.

#### 3.1 Introduction

To achieve the intent of the *Right to Information Act 2009*, an agency must embrace the openness and transparency which are fundamental to good government.<sup>6</sup> The Act gives a right of access to government-held information unless, on balance, releasing the information would be contrary to the public interest. It also promotes the proactive release of information.

Agency leaders are responsible for establishing a culture and an approach to information management that is consistent with right to information and information privacy legislation. The culture should support the principles of proactive disclosure.

Information is a commodity and agencies must manage it as they manage their other assets. They should know what information they hold and ensure they put it to good use. This includes identifying ways to increase the value of the information.

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<sup>6</sup> *The Right to Information: Reviewing Queensland's Freedom of Information Act, The report by the FOI Independent Review Panel, June 2008, viewed at [http://www.rti.qld.gov.au/\\_data/assets/pdf\\_file/0019/107632/solomon-report.pdf](http://www.rti.qld.gov.au/_data/assets/pdf_file/0019/107632/solomon-report.pdf)*

Under the *Right to Information Act 2009*, government agencies should release information administratively as a matter of course, unless there is a good reason not to. A formal application under the Act should be the last resort.

Proactive disclosure and administrative release increases the flow of government-held information to the community. This approach raises community confidence in government agencies.

To assess an agency's culture of openness and approach to information management, we look at whether it:

- clearly states its commitment to right to information
- promotes administrative access arrangements
- systematically identifies and classifies information holdings
- publishes a list of information holdings
- routinely discloses information classified as 'public'
- engages with the community in a two-way exchange
  - listens to the community about their information needs
  - responds to the community by providing information the community wants.

Ipswich City Council advised it is reviewing its community engagement approach to ensure its policies and procedures reflect principles of diversity and inclusion, and to facilitate the implementation of strong and effective community engagement strategies.

### **3.2 Conclusion**

Ipswich City Council has incorporated the principles of openness and transparency and the intent of the *Right to Information Act 2009* in its statement of commitment, and policies and practices for community engagement.

The council offers a range of administrative access arrangements from its '*Online services*' webpage. As a result, it can provide information more simply and efficiently. However it does not efficiently promote administrative access arrangements ahead of formal applications.

Ipswich City Council has not systematically identified the information suitable for public release. It has however adopted a directive about classifying and handling information assets, including identifying information suitable for release. If information owners assess the assets under their control, the council may be able to proactively disclose the maximum amount of information, as the *Right to Information Act 2009* intends.

The stakeholders we consulted were very positive about their relationship with the council, describing the interactions as two-way and open. The respondents to our public survey were less favourable. In several instances, their perception of the council's openness worsened as a result of their experience in seeking to access information.

### 3.3 Results

#### Commitment to right to information

As an indication of an agency's culture, we expect to see a clear statement of commitment to right of access to information. We also assess whether the agency has a RTI webpage that is easy to locate and contains useful, detailed information about right to information.

In 2014-15, we examined local governments' websites for compliance with the *Right to Information Act 2009* and the *Information Privacy Act 2009*. We recommended Ipswich City Council make its RTI webpage more visible and accessible.

The webpage is still difficult to find from the website's home page. We had to use the search function to locate the RTI webpage.

Ipswich City Council states its commitment to right to information on its RTI webpage. However, it is not visible on the webpage when first opened. The majority (84%) of people responding to our survey said they did not find or could not remember seeing a statement of commitment to right to information.

The RTI webpage has four headings:<sup>7</sup>

- *About Right to Information* describes the legislation and provides links to the legislation, the whole-of-government Right to Information website and the Office of the Information Commissioner's website.
- *Accessing Information* describes administrative access arrangements, including the publication scheme.
- *Making an Application* describes the process, costs, review rights, timeframes and the processing period for access and amendment applications.
- *Review of Decisions* describes the internal and external review rights and processes that a person can exercise if they are not satisfied with a decision.

The information contained under each heading is detailed, comprehensive and accurate.

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<sup>7</sup> During our audit, the council added a fifth heading to link to our community survey.

The statement of commitment is contained under *Accessing Information*:

*Council is committed to providing the community with open and transparent access to information about council services, activities and business operations.*

The statement of commitment would be more visible if situated at the top of the page. This is because the reader cannot see it when the sections are contracted to the headings alone (the default version).

#### **Recommendation 4**

We recommend that Ipswich City Council:

within three months, makes its right to information webpage and statement of commitment to right to information more visible and prominent on its website.

#### **Administrative access arrangements**

Members of the community may access documents under an agency's administrative arrangements, including its publication scheme or disclosure log, or under another Act.<sup>8</sup> An agency may establish administrative arrangements to access different types of information, for example documents, datasets and camera surveillance footage. Administrative arrangements can significantly benefit agencies because they are a more simple and efficient way to release information than the formal legislative application process. We expect agencies to promote administrative access on their websites.

In 2014-15, we examined local governments' websites for compliance with the *Right to Information Act 2009* and the *Information Privacy Act 2009*. We recommended Ipswich City Council make the information about its administrative access arrangements more visible and accessible.

A person can access a number of administrative access arrangements from the council's 'Online services' webpage. However, the RTI webpage does not promote these arrangements consistently or link to them.

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<sup>8</sup> Section 19 of the *Right to Information Act 2009* (Qld) and sections 47 and 53 of the *Right to Information Act 2009* (Qld) allow an agency to refuse access to a document requested in a *Right to Information Act 2009* (Qld) application if it is available by an administrative access arrangement, whether or not the access is subject to a fee or charge.



Across the website, the council visibly promotes online services:

- PD Online – a portal to information about property and property development
- MyIpswich – a portal to making payments and information, for example, about animal registrations, waste bins, graffiti, roads and footpaths, or vegetation.

Agencies can also maintain a disclosure log as an administrative access arrangement, although there is no legislative obligation for local governments to maintain a disclosure log.

A disclosure log is a webpage or a part of a website that lists documents an agency has released under the *Right to Information Act 2009*. The rationale for disclosure logs is that if one person has requested access to information other than their own personal information, the wider community might be interested in the same information. Accessing documents through a disclosure log can save time and resources for applicants and agencies.

Ipswich City Council does not maintain a disclosure log.

### Recommendation 5

We recommend that Ipswich City Council:

within three months, promotes administrative access arrangements on its right to information webpage, ahead of directing people to the legislative application process.

A systematic approach to identifying and classifying information holdings and datasets helps agencies determine which information is suitable for public release. It also provides assurance that the agency is proactively disclosing the maximum amount of information.

Ipswich City Council has not identified and classified its information holdings and datasets. However, it has laid the foundation in a directive approved in December 2017. The directive describes how the council will classify and handle information.<sup>9</sup> It requires information owners to classify information assets under their control. They can classify information assets as ‘most confidential’, ‘confidential’, ‘restricted’ or ‘public’.

Although the purpose of the directive is to safeguard and protect information, it also facilitates publishing the information. It acknowledges that the public might access confidential information through a right to information application. The classification process will identify ‘public’ information suitable for release.

<sup>9</sup> ICC ICT Information Classification and Handling Directive, approved 15 December 2017.

We looked for other strategies that Ipswich City Council might use to identify and classify information.

- It does not analyse requests for information or feedback, such as incoming calls, complaints or formal applications for information, to identify information to publish proactively on its website.
- The council has published a Personal Information Digest, which is a comprehensive list of personal information holdings. We comment on this further in the chapter on privacy.

## Recommendation 6

We recommend that Ipswich City Council:

within eighteen months:

- identifies and classifies information assets
- ensures it publishes information that is significant, appropriate and accurate.

### Approach to community engagement

When reviewing community engagement, we expect to see:

- communication strategies and frameworks that support the public and other stakeholders in communicating their information needs to the agency
- strategies and frameworks for communicating the agency's decisions to the community
- community engagement policies, procedures and practices, which include how the agency engages with the community when developing policies affecting external operations and how the agency considers comments from the community.

In its 2016-17 annual report, Ipswich City Council states:

*A much more strategic and effective approach to marketing and communications has been developed to continually improve the relationship between the community and Council. Utilising new mediums and being proactive in developing open, two-way communication is central to this approach. (page 41)*

*Advance Ipswich* is Ipswich City Council's overarching 20-year plan for the community. The council engaged with the community to develop this plan, through community meetings, a

workshop, a summit and an online survey, which received over 4300 visits and resulted in 377 survey responses.

In *Advance Ipswich*, the council commits to relevant principles of access to information, confidentiality and information security. It includes community engagement in its five year corporate plan. The plan does not explicitly or clearly include right to information or information privacy, but there are several goals, strategies and key actions that have right to information and information privacy elements.

Ipswich City Council explained at interview that the corporate plan is an aspirational document. It is developing detailed plans and strategies to help achieve the goals in the corporate plan, for example about information management.

The council's 2017-18 operational plan breaks down the corporate plan goals and strategies into key actions and deliverables. Figure 2 shows the operational plan entry for Goal 3,<sup>10</sup> Strategy 2.

Figure 2

Strategy 2 – Invest in data collection, analysis and targeted research to provide the evidence base for development of strategy and resource allocation.			
KEY ACTION	RESPONSIBILITY	OUTCOMES	DELIVERABLES
Increase the use of on-line and digital communications to deliver and promote services and information to the community. (9.4/2.5)	Arts, Social Development and Community Engagement	Increased digital engagement of communities.	<ul style="list-style-type: none"> <li>Strategic use of library systems and digital marketing channels to promote engagement and use of resources, events and programs.</li> <li>Determine the community's reliance, confidence and preference for sourcing information via Council's on-line and digital communications.</li> <li>Develop a Community Engagement Strategy/Communication Plan that includes the use of digital engagement to optimise reach.</li> <li>Commence implementation of digital knowledge management and communication methodologies to promote social services and other relevant information (eg community events) to community stakeholders.</li> </ul>

Source: 2017-2018 operational plan, Ipswich City Council: *Staying on Track*

<sup>10</sup> Goal 3 – Create a city that values its past and embraces opportunities to work together for the betterment of the community.

The council has not set targets for the outcomes it seeks to achieve. This makes it difficult to measure the effectiveness of its deliverables in increasing digital engagement of communities. We discuss performance monitoring in Chapter 2.

The Community Engagement Policy<sup>11</sup> states that the council *aims for effective and consistent community engagement that contributes to quality Council decision making*. The policy statement at section 1.3 implies that communication with the community will be two-way.

Section 1.4, *Scope* mandates transparent community engagement. It requires the council to communicate engagement findings to relevant internal and external stakeholders. This covers communication about decisions.

The council also has a practical guide to assist staff to design and implement good practice in community engagement.<sup>12</sup> This document recognises aspects of right to information and information privacy. The guide states the council undertakes community engagement whenever it needs to involve individuals, communities or stakeholders to achieve an outcome.

It defines community engagement as a *'two-way dialogue'*, and specifies five levels of engagement from the base level of informing the community through to sharing decision-making and partnering with stakeholders. This approach matches the requirements of the *Right to Information Act 2009*.

It also addresses aspects of the *Information Privacy Act 2009*. The council bases its community engagement on seven principles of effective community and stakeholder engagement. Principle 5 is that the *'Engagement respects privacy and confidentiality'*. The guide describes in detail how the council will collect, analyse and store data, including providing a collection notice when collecting personal information.

The council supports the design of project based communication strategies involving two-way communication, multiple channels for communication, clear notifications and encouragement to the community to become involved.

For example, the communication strategies of the Strategic Planning Branch include publishing proposed plans online for comment. For proposals to amend a planning scheme, the council adopts a range of strategies, including:

- write to landowners
- set up a hotline
- encourage face to face conversation

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<sup>11</sup> *Community Engagement Policy*, endorsed by Ipswich City Council resolution on 9 November 2010.

<sup>12</sup> *Council's Community and Stakeholder Engagement Guide*, endorsed by Ipswich City Council on 17 September 2013.

- have a presence in shopping centres
- run a media campaign
- post on social media
- ensure a professional planner is available to come to the counter
- encourage submissions.

The planning department reports the submissions to Council, and notifies the submitter formally of any decisions.

While we saw examples of these strategies in practice, the respondents to our survey commented on instances where they believed the council did not implement these strategies. For example, respondents thought the council was reluctant to share information and discouraged submissions about planning for roadworks.

### **Community perceptions**

The *Right to Information Act 2009* states:

- The community should be kept informed of government's operations.
- Openness in government increases the participation of the community in democratic processes leading to better informed decision-making.
- Government should adopt measures to increase the flow of information to the community.

A measure of success is community and stakeholder perception of an agency's openness and the accessibility of government-held information. Community sentiments or satisfaction also indicate whether an agency's community engagement is effective.

We conducted a public survey about Ipswich City Council's openness and access to the information it holds. The survey asks questions about people's experiences in seeking information three ways – on the council's website, through its client services and through formal applications.

While 89 people opened our online public survey, 36 completed the survey fully or almost fully after the initial screening questions that clarify the scope of the survey. The following findings represent the answers of these 36 people.

The information the respondents most commonly sought was:

- plans, policies or strategies
- information about neighbourhood issues

- agendas and minutes
- development applications or property information.

Respondents said they used multiple ways to get information, mostly on the website (86%), over the telephone (24%), by email (22%), or in-person visits (13%). Thirteen people applied under the *Right to Information Act 2009* or *Information Privacy Act 2009*.

About two thirds of respondents who found or partly found what they were looking for on the website did not make a formal application. On the other hand, half of the people who made an application had looked on the website and did not find what they were seeking.

The *Right to Information Act 2009* states that applications for information under the legislation should be a last resort. Respondents said Ipswich City Council did not encourage the least formal method of obtaining information (19 of 26 people responding to this question, 73%). Ten people reported that the council told them to apply in writing before it would deal with their request.

Respondents reported seeking information on multiple occasions. Where they used multiple channels, we asked if they noticed differences in outcomes, areas or people they dealt with. About half the respondents (45%) noticed differences in their dealings with different people.

At least a third of all respondents reported that their perceptions of the council were much more negative in four ways after they sought information from the council. The biggest changes were about the loss of confidence in the council's decision-making and perception of the council's openness. Over half the respondents were much more negative for these two issues.

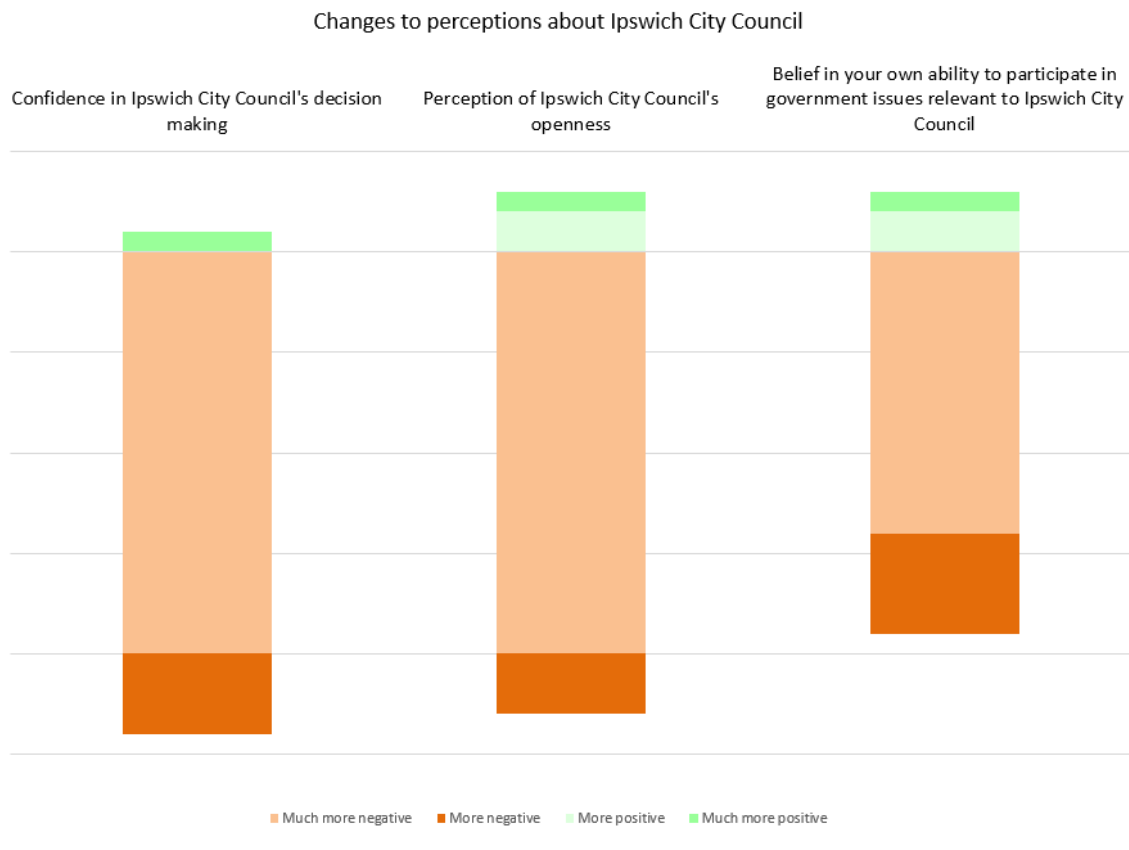
It was not the outcome of the request alone that affected respondents' perceptions. These worsened if the respondents did not get information sought and they did not accept the council's explanations. This is regardless of whether they found the council's communications generally easy or difficult to understand.

Of the 25 respondents who reported not receiving the information requested, 17 said the council did not explain why.

A third of respondents reported no change in their perception about how the council handles information privacy.

Figure 3 illustrates these changes.

Figure 3



Source: Office of the Information Commissioner, 2018, n = 25 : 26 : 22 respondents to these questions reporting a change in perception

### Stakeholder comments

We contacted 28 stakeholders from industry, media and community sectors about the accessibility of Ipswich City Council information. Ten responded, three providing multiple responses, for example from various business units within one organisation. We invited media and research/educational organisations to comment, but they did not respond.

Stakeholders highly valued the information Ipswich City Council gave them, and the way in which the council handles their requests. Stakeholders were interested in:

- the town plan, development applications and land use
- information relevant to planning applications, for example, heritage information
- proposals for industry, property or community development
- demographic data, statistics about Ipswich and projections
- traffic management and traffic flow information

- emergency management
- infrastructure projects and agreements
- community programs and events
- grants
- networks, including community or business networks.

They commonly sought information for their organisation for multiple reasons, for example to:

- plan for future services or activities (14 comments)
- undertake, improve or support service delivery (11 comments).

Respondent stakeholders said they received the information they requested, in a useable format and in a timely way. They knew who to contact and stated the council staff dealt with them in a professional and helpful manner. They particularly valued the council's initiatives to set up regular meetings for information sharing and networking, and to provide information sharing through personal notifications about items of interest, online alerts and online information services.

A couple of stakeholders commented about an occasion when the information was incomplete, incorrect or not provided in a timely way. For example, one stakeholder said that in one instance, although Ipswich City Council was responsive and helpful, different sections of council gave it different information. The stakeholder suggested that in future, council assign one contact person for multi-faceted projects.

An important theme was that the interactions with the council were two-way and open.

Typical stakeholder comments include:

*Our experience in dealing with the Council has been positive.*

*The team were helpful and easy to approach and the information that they provided was consistent and targeted to our needs.*

*He went above and beyond in order to get the painting passed by the Department. He was very knowledgeable and fully involved our staff in the process.*

## **Media**

In 2016-17, Ipswich City Council had a higher rate of media applications (20%) compared to other agencies (9%) we have audited. From 2014-15 to date, a higher rate of applications for external review of the council's decisions (57%) came from the media compared to the local government sector (11%). A formal application under the Act should be the last resort.



As a result, we looked at Ipswich City Council's approach to engaging with the media. We invited media organisations to participate in our stakeholder consultation and comment on the council's openness and transparency and their experience in seeking access to information. The media organisations did not respond.

The council aims to increase proactive publication and administrative release of information of interest to the media. It launched an online news platform – *Ipswich First* – for direct community engagement in August 2017. *Ipswich First* shares information about Ipswich community issues and events. It is a rich and engaging source of information.

The council has developed a draft *Communications and Media Branch Procedure*, containing new strategies for media engagement. The purpose of the procedure is to:

*...ensure that all Council-generated news content, media releases, internal communications and statements are prepared and distributed in an efficient, effective and positive manner and that media releases are not negative towards, or derogatory of, Council, Councillors or Council employees.*

It describes the Newsroom Unit's responsibilities as preparing and distributing content. The responsibilities do not cover listening to the community or stakeholders.

While it is not explicit in the procedure, the council says it links positive engagement with the media and providing information proactively as a way to ensure legislative applications are a last resort. It advised:

*Greater access to documentation online, more open access to the complaints register, new procedures which allow for more transparency in information mean there has not been the same demand for RTI applications.*

We did not see evidence that the strategy is achieving this result at this early stage.



## 4. Compliance

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### Key findings

Ipswich City Council:

- has improved its publication scheme since 2015, but needs to further populate the scheme with significant, accurate and appropriate information accessible by direct links
- shows a commitment to releasing information under the Right to Information Act 2009 and the Information Privacy Act 2009 quickly and with a focus on client service delivery
- can improve its procedures and supporting material for application handling, for example
  - ensure all council departments understand their role and responsibilities when responding to requests for information
  - improve and use template documents and a manual for application handling.

In our audits, we consider compliance with specific legislative requirements, application handling and generally the adoption of the push model that supports openness and transparency. More specifically, when assessing an agency's compliance with the *Right to Information Act 2009*, we examine its:

- publication scheme
- application handling process.

### 4.1 Publication scheme

#### Introduction

Section 21 of the *Right to Information Act 2009* requires that all agencies<sup>13</sup> publish a publication scheme. A publication scheme is integral to the push model where agencies disclose information proactively. The information should be easy for any person to find and use. Agencies should routinely provide as much information as possible and, in the interest of maximising access to information, in alternative formats.

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<sup>13</sup> Other than entities specifically excluded by the legislation, or who have made other legislatively compliant arrangements.

An agency must also comply with the *Ministerial Guidelines: Operation of Publication Schemes and Disclosure Logs* (the Ministerial Guidelines) which specify seven information classes and outline their content. The information in the publication scheme must be significant, appropriate and accurate. As the significance of information can change over time, it is important that agencies review and update their publication scheme so that it directs people to the most current and up-to-date information.

In 2014-15, we examined local governments' websites for compliance with the *Right to Information Act 2009*, the *Information Privacy Act 2009* and the Ministerial Guidelines. We rated Ipswich City Council's publication scheme as 'in progress' and made seven recommendations, including that the council publish or link additional material and explain how to complain when the information was not in the scheme.

We again reviewed Ipswich City Council's publication scheme for compliance with the prescribed requirements in this compliance audit.

## **Conclusion**

Ipswich City Council has a publication scheme which addresses the legislative requirements in its format and general structure. It has implemented some of our 2015 recommendations but there is further work to do.

While the information about the council's services is clear and helpful, the scheme does not assist people to obtain significant, accurate and appropriate information in other areas, particularly policies and lists.

## **Results**

We acknowledge that Ipswich City Council has improved its publication scheme since 2015 and makes more information available to the community. For example, the scheme now describes terms and charges and how to make a complaint about the publication scheme.

At the start of this audit, there was limited information about proposals before council committees and the nature of the committee's deliberations and decisions. Demonstrating its commitment to right to information, Ipswich City Council has added information about committee agendas and minutes to its publication scheme during the audit.

Some issues remain. For example, the council continues to describe documents without directly linking them. This is more evident in the policies and lists information classes.

Overall, in 2018 we rate the council's publication scheme as 'in progress', because:

- The publication scheme does not publish information in the most relevant place, or the website publishes information elsewhere and not in the publication scheme.

- Some information is missing, for example, information about internal decision-making criteria or processes, or about community consultations.
- The publication scheme directs people to obtain policies by inspection or purchase, when the website directly links to the policies elsewhere, including from a Council Policies webpage introduced in the course of this audit.
- The list of registers is incomplete, and registers are difficult to access. The Register of Councillors' Interests was difficult to search and use at the start of this audit. The council has improved access to this information during the course of the audit.

## Recommendation 7

We recommend that Ipswich City Council:

within six months, populates the publication scheme with significant, accurate and appropriate information, with direct links to the information.

## 4.2 Application handling

### Introduction

The *Right to Information Act 2009* and *Information Privacy Act 2009* give a right of access to information in a government agency's possession or control unless, on balance, it is contrary to the public interest to give access.<sup>14</sup> This means that if people cannot obtain government-held information from public sources or administrative access arrangements, they can apply to get access to the information under the Acts.

Agency decision-makers must balance competing public interest factors in the light of the legislation and their agency's business.<sup>15</sup> They have a key role in ensuring that decisions meet both the intentions and the requirements of the legislation. They also need to ensure that the process for locating and considering the information is efficient and effective.

We consider compliance with specific legislative requirements, management of applications and release of information through the application process. We also examine the agency's process for locating and considering the information. However, in an audit, we do not review the merits of the decisions about accessing and/or amending documents.

<sup>14</sup> The *Information Privacy Act 2009* (Qld) also allows a right to amend personal information in the government's possession or under the government's control, unless on balance, it is contrary to the public interest to allow the information to be amended.

<sup>15</sup> If the information requested is exempt information then the decision-maker is not required to apply the public interest test.

To assess Ipswich City Council's process for handling right to information and information privacy applications, we examined 16 access application files the council received between 1 January 2016 to 30 June 2017.<sup>16</sup> We considered the overall management of applications and, specifically compliance with Chapter 3 of the *Right to Information Act 2009* and *Information Privacy Act 2009*.

The council uses template documents to support application handling and has a manual for administrative procedures – the *Right to Information Applications Manual*.

Shortly before our audit, the council had identified areas for improvement and started to address them, for example, redefining its approach in professional rather than administrative terms, upgrading its staffing structure, training its staff and re-working templates in practice. It advised that it plans to commence a comprehensive review of its right to information program by December 2018, using our audit findings. This includes reviewing the template documents, manual, roles and responsibilities, and application handling procedures.

## **Conclusion**

Ipswich City Council handles applications in accordance with the *Right to Information Act 2009* and the *Information Privacy Act 2009* and has some good practices. In particular, the council processes application files quickly and with a focus on delivering services and results to applicants.

We did identify some issues, most of which are technical procedural issues. They affect the efficiency and accuracy of the application handling process.

The template documents and the manual do not offer as much support as they could to file managers and decision-makers to process applications compliantly. This is not currently a significant problem, as the file managers and decision-makers are experienced, and ensure technical compliance on a case-by-case basis.

To increase efficiency, consistency and procedural compliance, we encourage the council to correct the template documents and manual where required.

## **Results — active management and communication**

Regular contact with an applicant during the legislative process can promote the objectives of the *Right to Information Act 2009* and *Information Privacy Act 2009*. Although the legislation does not specifically require regular contact, this approach maintains agency-client relationships and provides good outcomes for both.

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<sup>16</sup> Ipswich City Council did not receive any applications to amend personal information in the time period that we audited.

Ipswich City Council deals with applications quickly, and with a focus on client service.

On average, the council handled the audited files in half the time we have seen in other agencies. Across the 16 application files we examined, the average duration from receipt of the application to decision is 13 business days. This compares favourably with other audited agencies, which took around 25 business days to deal with applications.

For 11 (69%) audited application files, the average time from application to decision is 6 business days. The council processed the other 5 files (31%) within the legislative timeframes.

In particular, when an applicant asks for quick processing for a specific reason, the council responds quickly. For example, on one application file the council delivered the result to the applicant in time for a court hearing, almost a month before the deadline at the end of the processing period.

On the audited files, the average time between contacts with the applicant is 1.6 business days. This is the fastest time we have observed in our audits.

Ipswich City Council's internal communication is also quick. For example, the email trails indicate internal responses are usually same-day, with an average of 1.4 business days between communications between the file manager and council departments.

The council generally communicates with applicants by email (64% of contacts excluding the original application form) or by letter (33% of contacts excluding the original application form). We only observed a couple of file notes of phone conversations in one audited file.

We encourage agencies to use both email and phone communication. These forms of communication:

- allow for two-way exchange of information
- promote an understanding of the application handling process
- help resolve issues
- promote clarity around the information requested
- are more efficient and timely for general communications than formal forms of correspondence like letters.

The application process is more effective and efficient when agencies clarify an application's scope early in the process. There are time and cost benefits to both the agency and the applicant in considering only relevant documents. Ipswich City Council uses email effectively to clarify issues and interact positively with applicants. The council is professional and helpful

in its tone on all audited files. In one file, it made notable additional effort to explain the information held and assist the applicant in finding the information through other means.

The council documented telephone conversations with the applicants a couple of times across all the audited files, but it did not make a record of these interactions as standard practice. Ipswich City Council explained that its practices have changed. We have seen evidence of documented phone conversations in three recent sample files. We encourage Ipswich City Council to continue to discuss issues by telephone, particularly where the legislation requires consultation with applicants or changes to scope of the application are agreed and with documenting those conversations. We support the council in training its staff to document their telephone contacts with applicants.

### **Results — procedural compliance**

We examined 16 application files. Overall, Ipswich City Council handles applications well. It:

- ensures applications meet legislative requirements before proceeding with the application
- takes an approach to the Charges Estimate Notices and Schedules of Documents which is substantially compliant
- conducts third party consultation which is legislatively compliant, even when files have the added complexity of multiple consultations. We noted the use of an *Information Access Consultation* form, which has several good features, including a collection notice
- has a legislatively compliant approach and good client service in the audited withdrawn application
- has potentially helpful decision assistance tools, including a checklist and standardised clauses for use in specific types of decisions
- has appropriate, up-to-date and clear delegations of authority for decision-making
- produces prescribed written notices which are legislatively compliant, albeit with minor opportunities to improve
- has good practices for giving access to information.

The council handled 10 (63%) audited application files substantively in accordance with the legislation. We do not form an overall conclusion for three files because at least one piece of key evidence or information is not on file.



Although the council achieved a positive outcome for the applicants on the other three files, we assess them as not technically compliant because of a number of procedural issues.

In particular, the council:

- gave information to an applicant quickly and with good client service, but without properly resolving the formal application as required by the legislation
- was efficient and practical, but acted unilaterally rather than consultatively as required by the legislation.

We noted that in two instances business units found it difficult to respond to the request for information due to record keeping issues.

The council should consult applicants on specific issues, for example:

- if the application should be handled under a different Act
- if the applicant wishes to narrow the scope of their application to remove grounds for the council refusing to deal with the application
- when the council can provide information administratively instead of proceeding with the formal application process.

The council expressed concern that writing to applicants for technical compliance may confuse the applicants, for example, confirming the withdrawal of the formal application when releasing information administratively. We consider the council can maintain its client service and achieve legislative compliance by telephoning the applicant to consult about the options, and then confirming the outcome of the consultation in writing.

Accurate and up-to-date templates capture expertise and improve efficiency and consistency. Ipswich City Council's templates are not as effective as they could be because they are not all accurate or consistently used.

We assessed that 31 (60%) templates are substantively accurate or appropriate<sup>17</sup> and 19 (36%) are inaccurate. Most of the inaccuracies are minor or technical inaccuracies.

However, the risk of error or non-compliance is low. In the 16 application files we audited, the council created a substantially correct document in a third of instances where it could have used a template. And in a further third of instances, the council used a template with major re-writes or corrections.

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<sup>17</sup> We use the description '*appropriate*' if a template assists good practice or efficiency, rather than acting as a legislatively prescribed notice or document.

When the council did use templates with minimal alterations, these were for procedural activities like acknowledgement letters or internal notifications. The council advised that, in the current period of change, it individually creates and amends templates for each file, to ensure that the documents are correct and that the decision maker is tailoring the service/management to the individual application.

Eight templates contain three areas of concern:

- the procedure to automatically obtain consent from family and friends to access documents with their personal information (two documents – council did not use the templates in any of the files we audited, and advises it does not use this template)
- the letter about releasing information administratively in response to an application
- the instructions to council departments on the *Document Retrieval Request* (five versions of this template – the council advises it intends to review this template).

In the application files we audited, the council used the *Document Retrieval Request* template for retrieving information from other council departments. The template does not clearly outline the departments' obligations, and we observed that, while the departments responded quickly, they did not always meet the legislative requirements. For example, the template does not explicitly say that the departments must provide whole documents to the decision-maker. The council explained it drafted the form some time ago when it had a different approach to application handling. It will consider updating the form as part of the general review of templates.

The council states that it manages expectations about the departments' roles and input through consultation. It said:

*In practice, issue form and discuss documents requested/issues/factors for consideration and location to ensure sufficiency of search.*

We also observed that the departments took responsibility for the data released from specific data sets. They limited the information released and redacted information on occasion, for example to remove information a department thought was not relevant to the request. Departments should provide whole, unredacted documents so that the decision-maker can determine the information suitable for release. In the 16 application files we audited, we did not identify instances where withholding or redacting was a concern. However, this practice creates a risk that a department will withhold information inappropriately.

The council considers it already manages this issue. It commented:

*Corporate Services are independent in their assessment of documents and are the final decision makers. Council officers are aware of this.*

*There is an open consultation process with departments regarding searching/collating and releasing documentation. This ensures buy in to the process and trust in our decision making capabilities. If the issue is the extent of detail in the document retrieval form – then this is already an identified area for training.*

Internal consultation can be an effective way to work with internal departments when the agency has clearly outlined their roles, responsibilities and obligation, for example in the template for requesting documents.

We agree with the council about the need for structured training, in particular refreshing staff awareness about right to information and information privacy generally, and specifically about their roles in responding to applications.

The council's *Right to Information Applications Manual* is well-structured and generally sound. It is easy to follow and illustrated with helpful screenshots of the case management system.

Ipswich City Council can improve the manual, as it contains some technically incorrect statements, and misses opportunities to:

- clarify differences in application handling under the *Right to Information Act 2009* and the *Information Privacy Act 2009*
- promote the objects of the legislation to inform file managers' practice, for example, when a manager should consider contacting an applicant to discuss administrative access options
- encourage staff members to talk to the applicant, as often as it is appropriate, to promote efficient and effective application handling, for example, to resolve compliance issues or the scope of the application.

Improved templates and manual will better support file managers and enhance the efficiency, accuracy and technical compliance of the council's application handling process. This will ensure Ipswich City Council is well placed to continue handling application files quickly and with a focus on client service.

## Recommendation 8

We recommend that Ipswich City Council:

within twelve months, reviews its template documents and manual for application handling and ensures the documents are accurate, up-to-date and support legislatively compliant application handling and good practice.

## Recommendation 9

We recommend that Ipswich City Council:

within twelve months, communicates interactively with all council departments about their roles and responsibilities in response to applications for information made under the *Right to Information Act 2009* (Qld) or *Information Privacy Act 2009* (Qld).

## 5. Privacy

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### Key findings

Ipswich City Council:

- makes people aware of the types of personal information it collects and how it manages, uses and routinely discloses this information
- has a particularly good resource to advise people about the personal information that it holds – the 'Ipswich City Council Personal Information Digest'
- has started to build privacy into its development of information and communications technology systems, using a well-designed privacy impact assessment tool
- has generally adopted the privacy principles in managing its Safe City camera surveillance system (public safety), but has not yet incorporated privacy in its management of other cameras –
  - the Corporate Surveillance Security System (asset protection)
  - portable audio-visual recording devices (regulatory compliance and safety).

The *Information Privacy Act 2009* gives individuals the right to seek access to and amendment of their personal information held by government agencies. It also sets out how agencies must collect and handle personal information. Under the Act, a local government must comply with the 11 Information Privacy Principles (IPPs). It must also comply with the provisions about transferring personal information outside Australia and using contracted service providers.

Privacy Impact Assessments (PIAs) support good governance and encourage designing systems with privacy in mind. Agencies can use a PIA to identify, and plan for, how they will meet the requirements of the *Information Privacy Act 2009*. As part of its information and communications technology (ICT) strategy, *Advance ICT 2017 – 2022*, Ipswich City Council has introduced a useful privacy impact assessment tool.

### 5.1 Collecting and handling personal information

#### Introduction

Under IPP5, government agencies controlling documents that contain personal information must take all reasonable steps so a person can find out what personal information they hold and how they are using it. Agencies similarly must explain what a person should do to obtain access to their personal information.

A good practice is to also explain how an individual can make a formal privacy complaint, if they think the agency has breached their privacy.

Agencies must not collect personal information unless it is necessary or directly related to their functions or activities. They also need to take all reasonable steps to make people generally aware of why they are collecting the personal information, what they will use the information for, any law authorising or requiring the collection and whether they routinely disclose the personal information, and if so to whom (IPP2). We call this a collection notice. If practicable, the agency should provide the collection notice before, or at the time it collects personal information.

## **Conclusions**

Ipswich City Council substantially complies with the *Information Privacy Act 2009* when collecting personal information. The council is open and transparent about the purposes for which it collects personal information, and to whom it routinely discloses this information. This enhances its accountability and builds community trust and confidence in its personal information handling practices.

## **Results — collection (IPP2)**

The council's privacy statement covers the requirements of IPP2, and gives additional information, for example, when it may disclose personal information and how it protects personal information.

We examined ten forms and ten email links on Ipswich City Council's website. All the email links satisfy IPP2 requirements as they connect to the privacy statement on the website. The statement explains how the council uses personal information it collects. Nine forms meet the requirements of IPP2, with an individual collection notice on the form itself supplemented by information on the council website's privacy statement. The tenth form is partially compliant because it does not give sufficient detail about the entity the council might disclose to.

The council uses online forms to deliver services and collect information for

- payments
- service requests
- development applications
- tenders / quotes.

The council has a webpage for each service, with good collection notices built in. The collection notices require people to 'accept' or 'agree' to the council managing their personal

information as described in the Privacy Statement and Personal Information Digest before they can access the forms. The collection notices usually cross-reference or link to the statement and the digest. These initiatives go beyond the requirements of the *Information Privacy Act 2009*.

The council plans to review forms, the privacy statement and collection notices as part of its overall right to information review.

### **Results — openness (IPP5)**

Ipswich City Council has a particularly good resource to tell people about the personal information that it holds.

Its Privacy Statement lists personal information that the council collects and explains how the council uses and discloses this information.

The *Ipswich City Council Personal Information Digest* is an innovative and clear document. It:

- provides a detailed description of the personal information the council collects
- lists all the departments within the council, the legislative authority for their respective functions and activities, and the personal information they collect
- describes in detail how each branch within the departments uses the personal information it collects
- describes in detail how each branch usually discloses personal information, an additional information service beyond the requirements of IPP5
- cross-references the council's Privacy Statement, which explains how an individual can access documents containing their personal information.

### **Results — privacy complaints**

Ipswich City Council has good policies and procedures for managing privacy complaints. These are clear and detailed and available online. In its Privacy Statement webpage and document, the council provides contact information and explains how it will handle the complaint.

The council also publishes a complaints management policy and procedures on its website. These contain specific sections on privacy complaints.

## 5.2 Camera surveillance

### Introduction

Queensland government agencies collecting personal information in camera surveillance footage must manage their systems in line with the *Information Privacy Act 2009*.

Over the last five years, Ipswich City Council has increased its camera holdings from 420 fixed cameras to 545 fixed cameras and 83 portable audio recording devices as at August 2017. The increase in the council's fixed cameras is consistent with a general trend in all agencies.

Ipswich City Council has three types of camera surveillance –

#### **Safe City Monitoring Facility (public safety)**

The Safe City system uses fixed cameras to monitor public locations for public safety. The system is on a specific network that transmits back to a central control room where Ipswich City Council staff and contractors monitor images 24 hours per day / 7 days per week and record footage. Safe City staff can contact the police in real time to try to prevent unsafe or criminal activity, and can make the footage available to the police for criminal detection or investigation, or as evidence for court.

#### **Corporate Surveillance Security System (asset protection)**

Ipswich City Council operates the Corporate Surveillance Security System for asset protection, for example, monitoring artworks in a gallery. Cameras send footage to an onsite standalone digital recorder. Authorised persons can access the footage via another network, usually after the fact. Ipswich City Council does not monitor these images live.

#### **Portable audio-visual recording devices (regulatory compliance and staff safety).**

Ipswich City Council uses portable audio-visual recording devices for regulatory compliance, for example, inspectors using body-worn cameras while conducting an investigation. Using portable audio-visual recording devices enables agencies to protect their employees from antisocial behaviour and spurious complaints.

We assessed how Ipswich City Council meets its privacy obligations when managing its camera surveillance systems. In particular, we examined:

- whether there is a clear purpose for collecting personal information related to its functions (IPP1)
- collection notices, including if the council has taken all reasonable steps to ensure individuals are generally aware of the purpose for collecting personal information (IPP2)



- whether the council discloses footage in the circumstances the *Information Privacy Act 2009* allows (IPP11)
- how the council protects footage against loss, unauthorised access, use, modification or disclosure and any other misuse (IPP4)
- how the council binds contracted service providers to the privacy principles (chapter 2, part 4 of the *Information Privacy Act 2009*).

## Conclusions

The Safe City camera surveillance system is a mature system, with policies, procedures and organisational strategies that have built-in protections for privacy and data security.

The Corporate Surveillance Security System and portable audio-visual recording devices operate without these structural protections. The council has not conducted a privacy impact assessment to identify privacy risks, and develop proportionate controls. Ipswich City Council is exposed to unmanaged privacy risk in these systems.

For all camera surveillance, Ipswich City Council is not fully compliant with the privacy principles in

- advising the public about
  - the use of camera surveillance and
  - access to footage and
- ensuring policies and procedures are implemented fully in practice.

## Results — collecting information (IPP1 and IPP2)

Ipswich City Council's camera surveillance systems are at different levels of maturity for managing personal information.

The Safe City camera surveillance (public safety) is a mature system. The council operates the cameras for the stated purposes, and supports this system with policies and procedures, consultation with the community about the way the system operates and with comprehensive staff training. When considering expanding the network, Safe City assesses the need for new cameras and the impacts, including privacy impacts, of installing them. The council described a specific instance where it offered community members an opportunity to visit the Safe City monitoring facility to allay privacy concerns.

The council has not established the same level of support for the other two systems. The council does not have comprehensive policies and procedures, staff training or community

consultation for the Corporate Surveillance Security System or portable audio-visual recording devices.

The council states that it has signage advising people that the Safe City fixed cameras collect personal information. We did not see signage in the vicinity of cameras in the mall during a site visit. We acknowledge that the council is redeveloping the mall.

Ipswich City Council did not comment on collection notices for the Corporate Surveillance Security System or portable audio-visual recording devices.

The council notifies people about the cameras on its website and through the media. The digest describes in detail the information the council collects through the Safe City network, how it uses this information, and its usual disclosure practices. It does not include information about the other types of camera surveillance.

### **Recommendation 10**

We recommend that Ipswich City Council:

within eighteen months, addresses privacy issues in structured and documented policies, procedures and strategies for the Corporate Surveillance Security System and portable audio-visual recording devices.

### **Recommendation 11**

We recommend that Ipswich City Council:

within twelve months, installs physical signs and notices, including for public spaces, buildings, and vehicles, to make people generally aware that it is using cameras to collect personal information in the vicinity of the notices.

### **Results — storage and security (IPP4)**

The Safe City public safety cameras record footage on a series of network video recorders housed at the Safe City Monitoring Facility. The council uses proprietary software, recording footage across several servers. The footage does not exist in a viewable format until the proprietary software re-assembles the image and exports it in a common file format.

The council has several physical security measures to control access to the Safe City monitoring room, including a visitor sign-in and out register and a separate log of visits and

access requests. It has taken other practical steps to control access, for example, restricting delegated authority to handle requests for footage.

Ipswich City Council states that it stores footage locally, and so there is no overseas transfer of information.

The council stores footage from the other cameras, for example recorded by portable audio-visual recording devices, in its corporate memory system, customer request system or on relevant secured storage drives, depending on the process.

Ipswich City Council advised that it:

- assesses all footage, from Safe City or other systems, for retention or disposal
- keeps the footage required for evidence, for example, authorised for release to the Queensland Police Service
- deletes the other footage within 14 days.

Ipswich City Council does not have data security policies, procedures and practical protections similar to Safe City for other types of footage. It has not conducted a privacy impact assessment to identify privacy risks for this footage and develop proportionate privacy protections. For Safe City, the council assesses most of the elements of a privacy impact assessment when it proposes to expand the network, but it does not explicitly name privacy as a consideration in its Safe City Monitoring System Policy.

## Recommendation 12

We recommend that Ipswich City Council:

within six months, conducts a privacy impact assessment of all its camera surveillance systems, and develops documented data storage and security strategies to manage any risks that the privacy impact assessment identifies.

### Results — access to, use and disclosure of footage (IPP11)

There are two ways in which a person or organisation might seek access to camera footage an agency holds:

- request administrative access through procedures built into the camera surveillance system's operations
- apply under the *Right to Information Act 2009* or *Information Privacy Act 2009*.

The Queensland Police Service is the biggest user of Ipswich City Council's camera footage. Safe City has a close and direct relationship with the service.

The *Information Privacy Act 2009* allows agencies to disclose personal information to a law enforcement agency if the personal information is 'reasonably necessary' for a law enforcement activity. The onus is on the agency holding the information to satisfy itself that the disclosure is reasonably necessary.

The council has a Memorandum of Understanding with the Queensland Police Service for access to Safe City footage. It has a more detailed procedure about granting the Queensland Police Service or external requestors access to the footage.

The procedure refers all requests for Safe City footage to the council's Governance Branch, who considers the requests and determines if the council will provide the information.

The procedure allows one exception. The Safe City Monitoring Room Coordinator or the Risk, Security and Prosecutions Manager may release footage out of hours to the Queensland Police Service only, and only in serious circumstances requiring an immediate response. This exception is consistent with limits on disclosure in IPP11 in the *Information Privacy Act 2009*. The council advised that it documents these disclosures.

When we first examined Safe City, its monitoring officers allowed police officers who they knew to examine footage to determine if relevant footage existed. Safe City did not always require known police officers to produce an access request form counter-signed by a senior officer before permitting this examination. This practice created a risk that a known police officer might view footage for non-work reasons without anyone being aware that this viewing was unauthorised.

In the course of the audit, Safe City introduced a procedure requiring all police officers to sign an entry in the Safe City *Reviews, Copies, Destruction* log, stating that any review or collection of footage is for a police investigation and/or prosecution purpose only. Ipswich City Council does not have procedures governing portable audio-visual recording devices.

## **Results — contracted service providers**

Ipswich City Council uses a private contractor to assist with monitoring the live feed of Safe City cameras. The contract binds the provider to the privacy principles and goes beyond the legislative requirements. For example, the contract requires the providers to notify the council immediately when they receive a privacy complaint about their operations.

## Appendices

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Appendix 1 – Agency response and action plan	49
Appendix 2 – Audit methodology	61



## Appendix 1 – Agency response and action plan

Your reference Rachael Ranghaeata  
Our reference OIC Compliance Audit  
Contact Officer Gary Kellar  
Telephone 3810 6209



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Attention: Ms Rachael Ranghaeata  
Information Commissioner  
Office of the Information Commissioner  
PO Box 10143  
Adelaide Street  
BRISBANE QLD 4000

10 May 2018

Dear Ms Ranghaeata

#### Re: Right to Information and Information Privacy – Compliance Audit

I refer to your letter dated 24 April 2018, providing Ipswich City Council with a copy of the Office of Information Commissioner's (OIC) Compliance Audit Report and thank you for the opportunity to comment on the proposed report.

I understand that various key stakeholders at Council have worked collaboratively with the OIC during the audit period that occurred from July 2017 to April 2018. It is worth noting that the OIC audit took place during a period of transition for Council, with a change of Mayor and CEO. As such, many of the findings/recommendations of the OIC reflect actions that had already been identified and/or are being implemented at Council.

I have reviewed the proposed report and note its contents. I do not have any material issues with supporting any of the recommendations. Council embraces the opportunity for improvement that this audit provides which aligns with the objectives of the Governance Review as adopted in full by Council on 17 September 2017.

Please find **attached** the Ipswich City Council management response to the report recommendation as requested.

We look forward to proactively engaging with the OIC on a platform of best practice as we take Council forward.

Thank you for the time you and your staff put into this report and recommendations.

Yours faithfully

A handwritten signature in black ink, appearing to read 'G. Kellar'.

Gary Kellar  
ACTING CHIEF EXECUTIVE OFFICER

We recommend:-		ICC response and any proposed management action	ICC nominated owner	ICC nominated completion date
#	Recommendation			
1	<p>within eighteen months, develops and implements an information governance framework and supporting documented policies and procedures to drive right to information and information privacy aims.</p>	<p>Council is in the process of reviewing its approach to information management.</p> <p>The Information and Communications Technology branch developed and published various ICT directives in around October to December 2017, which support this recommendation.</p> <p>Further, since the adoption of the Governance Review in September 2017, various working papers have been submitted to and discussions had with the CEO and key stakeholders regarding Council's approach to information management.</p> <p>The ACEO has proposed the creation of a working group comprising key stakeholders to ensure a holistic approach to information management occurs. The development of a whole of Council Information Management Framework that includes policies and procedures for collection, classification, storage and retention and disposal of all information assets. The ongoing publication of open/public information will form part of the scope of this larger project.</p> <p>Links with Recommendations 3 and 6.</p>	<p>Information and Communications Technology Manager</p> <p>Corporate Services and Risk Manager</p>	<p>30 November 2019</p>



We recommend:-		ICC response and any proposed management action	ICC nominated owner	ICC nominated completion date
#	Recommendation			
2	<p>within twelve months, designs and implements training on right to information and information privacy:</p> <ul style="list-style-type: none"> <li>• general obligations</li> <li>• policies and procedures specific to the council for inclusion in its induction and awareness training, mandatory for all staff.</li> </ul>	<p>Council has already commenced its review of the content of its induction and awareness training programs as a result of the Governance Review adopted by Council in full on 19 September 2017.</p> <p>Preliminary discussions have been had regarding the content of right to information delivery mechanisms going forward.</p> <p>It has been identified that delivery mechanisms will include / can include the formal induction program, general refresher / awareness training program and Line of Sight I'm Aware Sessions.</p> <p>It is anticipated that the content of this training will be creating over the next couple of months with inclusion in induction/awareness training being rolled out at the start of the 2018/2019 financial year. Ongoing monitoring of this training will then be undertaken to ensure content is appropriate for audiences and systematic completion of training covering all Council employees.</p>	<p>Corporate Services and Risk Manager</p> <p>Risk and RTI Manager</p> <p>Organisational Development Manager</p>	<p>1 June 2019</p>

We recommend:-		ICC response and any proposed management action	ICC nominated owner	ICC nominated completion date
#	Recommendation			
3	within eighteen months, implements performance measures for access to information and privacy principles aligned with its corporate planning and reporting framework.	See response to Recommendation 1. It is understood that the OIC would like to see a clear identification of the number of data sets based on information classes and percentage published as a measure to show ongoing information publication. This requirement will form part of the scope of the information management project.	Information and Communications Technology Manager  Corporate Services and Risk Manager	30 November 2019
4	within three months, makes its right to information webpage and statement of commitment to right to information more visible and prominent on its website.	During the course of the OIC Compliance Audit it was identified that the Information and Communications Technology (ICT) branch had identified and were in the process of scheduling a program of works to update the content/layout of Council's website. The position of the right to information webpage had been flagged for consideration in this re-design.	Corporate Services and Risk Manager	1 July 2018
5	within three months, promotes administrative access arrangements on its right to information webpage, ahead of directing people to the legislative application process.	In light of recommendations 4 and 5, intend to make this requested change a priority. Council is taking the opportunity and has commenced, a review of the full content of its right to information webpage before altering its position on its website.	Information and Communications Technology Manager	

We recommend:-		ICC response and any proposed management action	ICC nominated owner	ICC nominated completion date
#	Recommendation			
6	<p>within eighteen months:</p> <ul style="list-style-type: none"> <li>• identify and classify information assets</li> <li>• ensure it publishes information that is significant, appropriate and accurate.</li> </ul>	<p>See response to Recommendation 1.</p> <p>The Information and Communications branch introduced an ICT Directive titled "ICC ICT Information Classification and Handling Directive" in December 2017. This Directive identifies 4 information classification levels (Most Confidential, Confidential, Restricted and Public). Council will, as part of the Information Management project continue to implement and apply these classification levels.</p> <p>The Information and Communications branch has also implemented an Open Data Policy across Council that leverages the Creative Commons License framework. Council currently publishes in excess of 70 data sets to data.gov.au Open Data Portal.</p>	<p>Information and Communications Technology Manager</p> <p>Manager, ICT Contracts and Governance Information Security Officer</p>	<p>30 November 2019</p>

7	<p>within six months, populate the publication scheme with significant, accurate and appropriate information, with direct links to the information.</p>	<p>It is noted that the OIC Compliance Audit found that Council's publication scheme addressed legislative requirements in its format and general structure. The area of improvement related to the linking of documentation held in other locations of Council's website into the publication scheme descriptions of information classes.</p> <p>As the actual information/documentation is published and readily accessible and searchable on Council's website, Council had identified to review the content/format of the publication scheme and links within the website as part of the Information and Communications Technology branch review of Council's website.</p> <p>In light of this recommendation, Council will review the content of the publication scheme and identify any additional links to information classes necessary (in conjunction with the review being undertaken for the implementation of Recommendations 4 and 5). This should be completed by the end of the 2017/2018 financial year. Council's understanding from discussions with the OIC was that this recommendation could be completed by ensuring all information classes have links to information within the website.</p>	<p>Corporate Services and Risk Manager</p> <p>Information and Communications Manager</p>	<p>1 July 2018</p>
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We recommend:-		ICC response and any proposed management action	ICC nominated owner	ICC nominated completion date
#	Recommendation			
8	<p>within twelve months, review its template documents and manual for application handling and ensure the documents are accurate, up-to-date and support legislatively compliant application handling and good practice.</p>	<p>Any further work relating to the Publication Scheme will be something captured within Council's proposed Information Management project (as identified at Recommendation 1 and 6).</p> <p>Council has commenced a review of its template documents and manual for application handling. As discussed with the OIC during its compliance audit, templates are being reviewed as they are used to ensure accuracy and archiving of any obsolete documents. A more comprehensive and systematic review of this documentation will be undertaken in the second half of 2018. The review should be completed by the end of 2018.</p>	<p>Risk and RTI Manager RTI Officer</p>	<p>1 June 2019</p>

We recommend:-	ICC response and any proposed management action	ICC nominated owner	ICC nominated completion date
<p data-bbox="196 1713 225 1937"><b>Recommendation</b></p> <p data-bbox="268 1249 470 1937">9 within twelve months, communicate interactively with all Council departments about their roles and responsibilities in response to applications for information made under the <i>Right to Information Act 2009</i> (Qld) or <i>Information Privacy Act 2009</i> (Qld).</p>	<p data-bbox="268 667 343 1236">This recommendation is linked with Recommendation 2.</p> <p data-bbox="368 667 528 1236">It is proposed to include in the induction and awareness training on right to information and information privacy and roles and responsibilities content.</p> <p data-bbox="553 667 713 1236">In addition to this, Council has already started to deliver interactive/face to face information sessions with Council departments, details as follows:</p> <ul data-bbox="738 667 981 1236" style="list-style-type: none"> <li>• Executive Assistants – Completed 2 March 2018;</li> <li>• Development and Planning Branch – Scheduled for 23 May 2018;</li> <li>• Health, Security and Regulatory Services Department – Scheduling for June 2018.</li> </ul> <p data-bbox="997 667 1236 1236">Council's Line of Sight Program is establishing a departmental information sharing program through already established branch/department meetings, which will also be used as a conduit for these interactive/face to face information sessions.</p> <p data-bbox="1262 667 1385 1236">Council has a total of 8 Departments. Council will endeavour to complete these information sessions by the end of 2018.</p>	<p data-bbox="268 517 391 651">Corporate Services and Risk Manager</p> <p data-bbox="448 481 528 651">Risk and RTI Manager</p>	<p data-bbox="268 235 296 398">1 June 2019</p>

We recommend:-		ICC response and any proposed management action	ICC nominated owner	ICC nominated completion date
#	Recommendation			
10	within eighteen months, addresses privacy issues in structured and documented policies, procedures and strategies for the Corporate Surveillance Security System and portable audio visual recording devices.	Council is in the process of undertaking a privacy impact assessment in relation to the Corporate Security Systems and portable audio visual recording devices. Once completed it will develop and introduce documented policies and procedures and training of operators to ensure they are aware of their obligations and best practice approaches.	Safe City and Corporate Security Manager	30 November 2019

We recommend:-	ICC response and any proposed management action	ICC nominated owner	ICC nominated completion date
<p data-bbox="188 1256 220 2038"><b># Recommendation</b></p> <p data-bbox="268 1256 464 2038">11 within twelve months, installs physical signs and notices, including for public spaces, buildings, and vehicles, to make people generally aware that it is using cameras to collect personal information in the vicinity of the notices.</p>	<p data-bbox="268 674 507 1256">Signs and stickers (including collection notices) have been designed with the view of implementing this calendar year. Signs will be placed on key entry points in camera located suburbs, and stickers placed on key poles (i.e. near bus stops/taxi ranks etc.)</p> <p data-bbox="539 674 778 1256">The signs will include the sample of wording as per below (considered by the OIC during the audit process) and include Council logo and a depiction of a camera. There are two slight variations depending on the camera system (indoor /outdoor):</p> <p data-bbox="810 674 986 1256">*IMPORTANT NOTICE- Public Safety Cameras*. The Ipswich City Council is collecting your personal information through a public safety camera system in use in this area. The information collected is being utilised for the purposes of public safety, crime detection and prevention.</p> <p data-bbox="1018 674 1273 1256">Your personal information will only be accessed by persons who have been authorised to do so. This information may be provided to the Queensland Police Service for investigation and or prosecution purposes. Your information will not be given to any other party or agency unless required by law. –Your personal information is handled in accordance with the Information Privacy Act 2009. For further information contact the Ipswich City Council on 3810 6666*</p>	<p data-bbox="268 416 384 674">Safe City and Corporate Security Manager</p>	<p data-bbox="268 174 300 416">1 June 2019</p>



We recommend:-		ICC response and any proposed management action	ICC nominated owner	ICC nominated completion date
#	Recommendation			
12	<p>within six months, conducts a privacy impact assessment of all its camera surveillance systems, and develops documented data storage and security strategies to manage any risks that the privacy impact assessment identifies.</p>	<p>Council has undertaken a review of the OIC website that provides information regarding a Privacy Impact Assessment and is developing and conducting a Privacy Threshold / Impact Assessment on its Camera Surveillance Systems.</p> <p>Any shortcomings identified through this assessment will be then actioned.</p> <p>It is noted that the Public Safety Surveillance Camera System (Safe City Facility) and Video Management System has been assessed and security and privacy mechanisms exist comprising restricted data storage, access security, proprietary video software/platform and retention and disposal policies/procedures. Council will look at developing similar processes for other Council camera systems where required.</p>	<p>Safe City and Corporate Security Manager</p>	<p>30 December 2018</p>



## Appendix 2 – Audit methodology

### Attached to the engagement letter to Ipswich City Council, 21 July 2017

#### Background

The *Right to Information Act 2009* (Qld) requires agencies to push information into the public domain and to disclose information unless there is an over-riding public interest not to do so. The *Information Privacy Act 2009* (Qld) requires public sector agencies to safeguard the handling of personal information.

#### Objective

The objective of the audit is to establish whether the Ipswich City Council is complying with the prescribed requirements of the legislation, to identify areas of good practice, and make recommendations about improvement opportunities.

#### Scope

The audit will cover the council's policies and procedures for right to information and information privacy information handling practices, for example:

- governance (leadership, governance mechanisms, information management including proactive identification and release of information holdings, policies, procedures, delegations and roles and responsibilities of key personnel and training).
- accountability and performance monitoring systems.

We may also examine whether the council is maximising disclosure. This includes reviewing the statistical reporting (including internal reporting and annual reporting under s. 185 of the *Right to Information Act 2009* (Qld)) and the administrative access schemes. We may also review how the council consults consultation with communities and industry stakeholders as to their information needs and information management issues,

The audit may assess compliance with the requirements for:

- an agency publication scheme (s. 21, *Right to Information Act 2009* (Qld))
- an agency disclosure log (s. 78 *Right to Information Act 2009* (Qld))
- access and amendment applications (chapter 3, parts 2-7 of the legislation)
- review processes, including internal review of decisions under the legislation (chapter 3, part 8 of the legislation).

The audit will examine the council's personal information handling practices including technologies, programs, policies, systems and procedures to review privacy related issues, and agency compliance with the privacy principles. We may also consider how the council operates any camera surveillance systems in accordance with the privacy principles and manages access applications for footage.

## **Criteria for assessing compliance**

We assess an agency against the requirements of the legislation, and any subordinate guidelines or instruments made pursuant to the legislation.

Where the legislation states that the agency must meet a particular requirement, the audit tests whether the agency complies with that requirement.

Where the legislation indicates that the agency should adopt a particular approach, the audit will make a qualitative assessment of the agency's approach.

Most requirements are summarised in the electronic audit / self-assessment tool available on our website.

## **Process**

The Director, Audit and Evaluation will work with an experienced audit team and complete the testing program. The audit team will liaise with the council's nominated contact officer to coordinate access to documentation and organise interviews with council officers. The team may gather appropriate evidence through the following processes:

- discussions with relevant staff and management about right to information and information privacy policies, procedures, systems and operations
- discussions with, and/or survey of, council staff, and community and relevant stakeholders about perceptions of agency openness and transparency, and protection of personal information
- discussions with, or survey of, applicants
- observation of right to information and information privacy handling practices
- examination of the council's website including publication schemes, disclosure logs and arrangements for administrative access
- review of desktop audit recommendations and the council's response
- examination of the council's intranet
- review of statistical records/reporting
- testing of a sample of application and internal review files.

The audit team will discuss the findings with the contact officer progressively during the audit. If necessary, we will provide papers and/or a briefing to the council management before drafting the report.

