



information
and privacy
commission
new south wales

12 December 2023

The Hon. Benjamin Cameron Franklin, MLC
President, Legislative Council of NSW
Parliament House
Macquarie Street
Sydney NSW 2000

The Hon. Greg Piper, MP
Speaker, Legislative Assembly of NSW
Parliament House
Macquarie Street
Sydney NSW 2000

Dear Mr President and Mr Speaker

This is an erratum notice relating to the *Report on the Operation of the Government Information (Public Access) Act 2009: 2021 – 2022* (the Report), tabled on 22 May 2023 in accordance with section 37 of the *Government Information (Information Commissioner) Act 2009* (GIIC Act).

On 18 October 2023, the Department of Planning and Environment notified the Information Commissioner of a data entry error in GIPA data submitted to the IPC for the purposes of the Report on the Operation of the GIPA Act 2021/22.

The data provided was:

	Number of applications
Decided within the statutory timeframe (20 days plus any extensions)	225
Decided after 35 days (by agreement with applicant)	362
Not decided within time (deemed refusal)	0
Total	587

The corrected data is:

	Number of applications
Decided within the statutory timeframe (20 days plus any extensions)	518
Decided after 35 days (by agreement with applicant)	25
Not decided within time (deemed refusal)	0
Total	543

This data error impacted on the reporting of timeliness under the GIPA Act which has necessitated corrections to the report.

The following corrections have been identified:

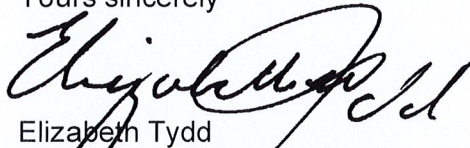
Page Affected	Proposed Replacement Text
Commissioner's Overview – Page 2, right hand column, dot point 5	Delete current sentence and replace with: <i>decisions made within the statutory timeframe increased from 80% to 90%.</i>
Year at a Glance – Page 25	Delete current graph and replace with new graphic on <i>How Quickly were decisions made?</i> See Attachment A.
<p>How quickly were decisions made?</p> <p>Pages 46 –</p> <ul style="list-style-type: none"> • left hand column, first two paragraphs • left hand column, dot point 1 • right hand column, replace text from word “Timeliness” onwards • replacement of Figure 25. 	<p>Page 46 – Delete current paragraphs and replace with:</p> <p><i>In 2021/22, 90% of decisions by agencies were made within the statutory time frame (Figure 25). This result is a slight decline from 92% in 2020/21 and 91% in 2019/20.</i></p> <p><i>The number of applications decided after 35 days by agreement with the applicant, increased from 7% in 2020/21 to 9% in 2021/22.</i></p> <p>Page 46 – Delete current paragraphs and replace with:</p> <ul style="list-style-type: none"> • Government sector decided 90% of applications within the statutory time frame, a slight decline from 92% reported in 2020/21. <p>Timeliness was maintained at high levels for the NSW Police Force, Department of Customer Service, Department of Education, Department of Planning and Environment and Transport for NSW. This result is pleasing and builds on the positive results reported in 2020/21 as most of these agencies experienced an increase on the number of applications received.</p> <p>Of the principal departments, three departments reported a moderate or significant decline in compliance with the first reporting category: statutory timeframe (20 days plus any extensions). In 2021/22:</p> <ul style="list-style-type: none"> • Department of Communities and Justice reported 52% of applications were decided within the statutory timeframe, compared with 79% in 2020/21

Page Affected	Proposed Replacement Text
How quickly were decisions made? Page 47	<p>Delete Figure 25 and replace and with New Figure 25: <i>Applications that were decided within the statutory time frame, as a percentage of all applications decided 2017/18 to 2021/22. See Attachment A.</i></p> <p>Page 47 - Delete and replace Figure 26 with New Figure 26:</p> <p><i>Applications that were decided within the statutory time frame, as a percentage of all applications decided by sector, 2017/18 to 2021/22. See Attachment A.</i></p>

I formally request that the pages be officially replaced.

I recommend that the Report and this erratum notice be made public forthwith pursuant to section 39(2) of the GIIC Act.

Yours sincerely

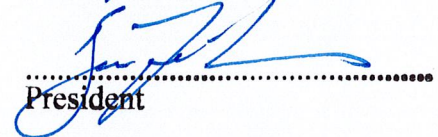


Elizabeth Tydd
CEO, Information and Privacy Commission NSW
Information Commissioner
NSW Open Data Advocate

Received by me and authorised
to be made **public** forthwith on

19 December 2023

at *5pm*



President

cc: Premier
Minister for Customer Service and Digital Government, Minister for Emergency Services and Minister for Youth Justice
NSW Attorney General