



## Question on Notice

### Portfolio Committee No. 6 - Transport and Customer Service

Monday, 9 March 2020

#### QUESTION:

The Hon. JOHN GRAHAM: Have you been consulted on this specific program, this program to amend the websites? Have 500 of these websites been consolidated?

Ms TYDD: That is a matter I might need to take on notice, but personally I do not have a recollection of being consulted in relation to that operation's realisation. There may be policies that sit underneath that that I will be consulted on in the future.

#### ANSWER:

The New South Wales Information and Privacy Commission and the Information Commissioner have not been consulted on this initiative.

#### QUESTION:

The Hon. DANIEL MOOKHEY: That is encouraging. We will ask them on Wednesday how that is going. Have you checked icare?

Ms TYDD: To the best of my knowledge, that is not an agency that I have assessed but I will take that on notice.

#### ANSWER:

icare's compliance with contract disclosure requirements had not been assessed by the New South Wales Information and Privacy Commission or Information Commissioner as at 9 March 2020.

#### QUESTION:

The Hon. DANIEL MOOKHEY: On 25 February icare published the details of 179 contracts, the overwhelming majority—if not all—well past the 45-day requirement to publish.

In fact, these contracts go back to 2018. The total sum of money that it reported was \$180 million worth of public spending that it engaged in without actually reporting it on the database in time. To the best of your knowledge, has any other agency done that in the last year?

Ms TYDD: I am not aware of any agency, if you like, uploading in bulk in that way.

The Hon. DANIEL MOOKHEY: It is unusual?

Ms TYDD: Yes.

The Hon. DANIEL MOOKHEY: Would that be cause for you to inquire?

Ms TYDD: That would certainly be something that I would consider from a compliance perspective, because it is quite an unusual matter. The quantum is quite large and the compliance requirements are quite clear under the GIPA Act; so too is the guidance we provide to agencies. That is something that on the face of it would cause me to inquire further.

The Hon. DANIEL MOOKHEY: Let me just ask you: Can you inquire into it?

Ms TYDD: Indeed.

ANSWER:

The Information Commissioner reviewed the NSW eTendering website to assess icare's performance and commenced regulatory engagement with icare on 12 March 2020 seeking further information. The provision of additional information from icare will inform an assessment of icare's compliance with the *Government Information (Public Access) Act 2009*. This action is ongoing.