



Office of the Information Commissioner
Queensland

Follow-up of Report No. 3 of 2017-18

**Audit of Ipswich City Council's implementation of
recommendations**

Compliance with Right to Information and Information Privacy

We thank the staff of the Ipswich City Council for their cooperation.



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June 2020

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 'Follow-up of Report No. 3 of 2017-18: Audit of Ipswich City Council's implementation of recommendations, Compliance with Right to Information and Information Privacy'. This report is prepared under section 131 of the *Right to Information Act 2009* (Qld).

The report outlines Ipswich City Council's progress in implementing the recommendations I made in the 2018 audit.

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

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Summary

This is a report on Ipswich City Council's (ICC) progress in implementing the recommendations we made under the *Right to Information Act 2009* (Qld) and the *Information Privacy Act 2009* (Qld) (the Acts).¹

Our original audit examined whether ICC:

- promoted proactive release of information through strong leadership and good information governance
- had a culture of openness that supported proactive disclosure, including through two-way engagement with the community
- maximised disclosure of information using online tools
- complied with specific legislative requirements about releasing information administratively and in response to applications made under the Acts
- adopted the privacy principles, with a focus on camera surveillance.

In 2018 we concluded that:

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.

We also noted that while ICC had various elements of information governance, there was no cohesive framework to bring these elements together.

The council supported the 12 recommendations we made. It committed to implementing the recommendations by November 2019.

¹ 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) - Report No.3 of 2017-18 to the Queensland Legislative Assembly, tabled in Parliament on 17 May 2018, and available on www.oic.qld.gov.au.

Results and conclusions

ICC has made progress on implementing the recommendations of our original compliance audit. It has fully implemented six recommendations, partially implemented two recommendations and is in progress to implementing three more.

There is more work to do to improve the council's information governance and management, and its systems to process access and amendment applications. We urge ICC to continue its efforts to fully implement all recommendations. This will enhance its openness, transparency and accountability, and support legislatively compliant processes.

The figure below summarises the council's progress.

Implementation status of recommendations

	Total	Status			
		Fully implemented	In progress	Partially implemented	Limited progress
Leadership and governance	3		2	1	
Culture of openness	3	2		1	
Compliance	3	2			1
Privacy	3	2	1		
TOTAL	12	6	3	2	1

Source: Office of the Information Commissioner

ICC has transformed its website which has significantly improved access to information. For example, the council has increased proactive disclosure through its publication scheme and administrative access arrangements. This accounts for three recommendations we assess as fully implemented.

In late 2018, following the dissolution of the council and the appointment of an interim administrator, the executive leadership team initiated 18 transformational projects. Through these projects, the council has developed a number of policies and procedures that align with right to information and information privacy objectives.

ICC has a draft *Information and Knowledge Management Strategy and Governance Framework*. The framework includes sections on information access, security, privacy and use management. These sections are consistent with the aims and objectives of the Acts.

The council has focused on publishing datasets on an open data portal. It has not yet classified its information assets to make the maximum amount of significant, appropriate and accurate information available to the public. However, ICC has developed an information asset model that provides an overview of the identified information asset domains and classes. The council advises that the model is part of the foundation work it has established to begin classifying the information assets and finalising an information asset register.

ICC made late and limited progress towards implementing Recommendation 8 about template documents and the manual for application handling. There still is considerable work to do to ensure that the templates, manual and work instructions support legislatively compliant application handling.

The council is raising awareness and educating its employees about their general obligations in right to information and information privacy. But its training program does not cover policies and procedures specific to the council or how they apply to the employees' roles and responsibilities.

ICC has strengthened its operation and management of its surveillance cameras and portable audio-visual devices. It has conducted privacy impact assessments of different camera networks to identify risks to individuals' personal information. The council has documented policies and procedures for the operation and management of its corporate surveillance security system and portable audio-visual recording devices. However, there are gaps in how it makes people generally aware that it collects their personal information through surveillance cameras.

Agency comments

We provided a copy of this report to ICC for comments. We considered the council's views in reaching our conclusions and represented them to the extent relevant and warranted in preparing this report. ICC's comments are in the Appendix.

1. Context

Ipswich City Council (ICC) delivers a range of local government services, and builds and maintains community infrastructure including roads, drainage, sporting venues and other recreational facilities.

We audited its compliance with right to information and information privacy legislation in 2017-18 and made 12 recommendations. The council supported the recommendations and agreed to implement them by November 2019.

In late 2018, following the dissolution of the council and the appointment of an interim administrator, the executive leadership team initiated 18 transformational projects (TP). The projects were aimed towards achieving proper and ethical practice and culture. The TPs' deliverables included implementing six of our 2018 recommendations.

The council planned to implement Recommendations 1, 3 and 6 under TP1-Reporting and TP8-Knowledge Management. TP12-Information and Transparency would address Recommendations 2, 8 and 9. In February 2019, project leaders commenced reporting on the progress of each TP to the Risk and Governance Steering Committee. The council advised that it closed the TPs in March 2020.

We commenced the follow-up audit in November 2019. In February 2020, ICC reported its progress in implementing each recommendation and provided supporting evidence. We reviewed the evidence received and performed site visits and risk-based checks to gain assurance on the council's actions and implementation status. We concluded the audit in late April 2020 and submitted our assessment to the council for comment. In its response dated 12 May 2020, ICC referred to significant evidence it had not provided to date. To ensure fair and accurate reporting to Parliament and the community, we agreed to reopen the audit. We considered the new evidence and amended our assessment where warranted.

Figure 1A explains the ratings we used.

Figure 1A
Implementation status ratings

Rating	Description
Fully implemented	The agency has implemented the recommendation substantially or in its entirety.
Partially implemented	The agency has implemented part of the recommendation, but it has not fully satisfied the intent of the recommendation.
In progress	The agency has taken some action to implement the recommendation and efforts to complete implementation are ongoing.
Limited progress	The agency has taken minimal action to implement the recommendation and needs to make major efforts to complete it.

Source: Office of the Information Commissioner

Chapters 2 to 5 present our findings on how ICC implemented the recommendations.

2. Leadership and governance

Introduction

Good information management helps agencies meet right to information and information privacy obligations. Strong leadership is critical for successful information management. Agencies need to formally assign leadership responsibility and have agency wide coordination, planning and review of information governance.

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.

Specific training, tailored to the agency, helps staff understand how to apply their agency's right to information and information privacy policies and procedures.

In 2018, we reported that ICC had various elements of information governance but did not bring these together in an information governance framework. As a result, it was difficult for the council to assess its progress in right to information and information privacy.

ICC staff were completing online general awareness training sessions, primarily about information privacy. While useful, it was insufficient for staff to understand the policies and procedures that apply in their work environment.

Figure 2A shows the implementation status of the recommendations about ICC's leadership and governance.

Figure 2A
Leadership and governance

Recommendation		Status
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.	In progress

Recommendation		Status
2	<p>We recommend that Ipswich City Council:</p> <p>within twelve months, designs and implements training on right to information and information privacy:</p> <ul style="list-style-type: none"> • general obligations • policies and procedures specific to the council <p>for inclusion in its induction and awareness training, mandatory for all staff.</p>	Partially implemented
3	<p>We recommend that Ipswich City Council:</p> <p>within eighteen months, implements performance measures for access to information and privacy principles aligned with its corporate planning and reporting framework.</p>	In progress

Source: Office of the Information Commissioner

Results and conclusions

Information governance framework

In 2018, we found that ICC did not have a cohesive information governance framework pulling together various elements of information management. It allocated responsibility for information governance in a way that suggested the council was not managing information as a strategic asset.

Implementing Recommendation 1 was a deliverable of TP8-Knowledge Management, one of the transformational projects the executive leadership team initiated following the dissolution of the council.

In its February 2020 progress report, ICC advised that TP8 aimed to deliver a holistic approach to information management. It said that a whole of council information management framework would include:

- policies and procedures for collection, classification, storage and retention, and disposal of all information assets
- ongoing publication of open/public information.

The council has acted on this recommendation. It developed and adopted a number of policies and procedures to drive right to information and information privacy objectives.

These include:

- Right to Information Policy approved on 28 October 2019
- Information Privacy Policy approved on 28 October 2019
- Administrative Access Procedure approved on 13 November 2019
- Record Keeping Policy approved on 10 December 2019.

The policy documents refer directly to the *Right to Information Act 2009* and the *Information Privacy Act 2009* (the Acts). They support the objective of proactive disclosure and the safeguarding of personal information the council holds or controls.

Where appropriate, ICC has explicitly stated in the policies that they also apply to elected representatives.

ICC has drafted an *Information and Knowledge Management Strategy and Governance Framework* which it expects to finalise by the end of June 2020.

In the draft framework, the council recognises the importance of effective information governance. It states:

“...effective information knowledge management underpins the public’s right to information and information privacy, cornerstones of an open, accountable, timely and participatory local government.”

The framework includes sections on information access, security, privacy and use management. These sections are consistent with the aims and objectives of the Acts.

The council has an ICT Steering Committee that reports to the executive. While the committee’s terms of reference do not specifically identify right to information or information privacy, the objectives include assurance that:

- compliance with legal, contractual and regulatory requirements is supported
- governance requirements for whole of council are met.

This would include the requirements under the Acts.

We assess this recommendation as in progress.

Training and awareness

In 2018, the council required office-based employees and contingent workers to undertake right to information or information privacy general awareness training, using our online modules. In the main, staff completed, or nearly completed, general

awareness sessions about information privacy. There were very limited staff enrolments in sessions about right to information.

We recommended the council designs and implements mandatory right to information and information privacy training at induction. The training should include:

- an overview of general legislative obligations
- the council's policies and procedures about how the Acts apply when staff perform their roles.

ICC has included in its induction procedure right to information and information privacy training as mandatory modules. The procedure outlines the process for enrolling new staff in the training modules. The council also requires existing staff to complete mandatory refresher training in right to information and information privacy on an annual basis.

At present, staff enrolment for induction and refresher training is a manual process. The council advises that it is working towards creating 'curriculums' within its Learning Management System. Once established, the curriculums would allow ICC to automatically schedule refresher training for right to information and information privacy. The council aims to establish this by July 2020.

In March 2019, ICC purchased licences to load our online right to information and information privacy general awareness training modules into its Learning Management System. This allows the council to monitor training completion by staff.

Between 1 November 2018 and 11 February 2020, 969 council staff enrolled and completed general awareness training in information privacy while 904 staff enrolled and completed right to information general awareness training.

However, the recommendation also called for ICC to tailor right to information and information privacy training specific to the context of the council. This is consistent with the recommendations in our Awareness of Privacy Obligations report². Practical scenarios and revision questions should relate to the employee's functions and demonstrate how to apply right to information and information privacy when undertaking their duties. This has not occurred.

We assess this recommendation as partially implemented.

² Awareness of Privacy Obligations: How three Queensland government agencies educate and train their employees about their privacy obligations, Report No. 1 to the Queensland Legislative Assembly for 2018-19, tabled in February 2019 and available on www.oic.qld.gov.au

Performance monitoring

In our original audit we expected to see right to information and information privacy performance measures in the council's business plans, project plans or detailed strategies.

At the time, the lack of cohesive information governance framework meant it was difficult for ICC to measure its progress in right to information and information privacy.

The council confirmed that it did not have these types of plans, measures or performance monitoring processes. It advised that it intended to review its progress and performance reporting, as part of its Corporate Strategy and Performance Reporting Framework review. The council confirmed that it would include right to information and information privacy in this project.

We recommended that ICC implements performance measures for access to information and privacy principles.

ICC has developed new performance measures. It commenced reporting on the number of applications received and processed under the legislative process in the quarter January – March 2020. These measures are in the council's quarterly performance reports available on its website.

The council also reports to its Audit and Risk Management Committee the:

- number of privacy complaints opened and closed
- number of publication scheme complaints opened and closed.

ICC advised it intends to roll out additional measures within twelve months, including:

- percentage of applicants satisfied with the conduct of their internal review
- median days to finalise an application
- percentage of applications resolved by access to information available in the publication scheme or Open Data portal
- number of datasets released on the data.gov.au website.

ICC reports these measures through various channels and to different bodies such as its Audit and Risk Management Committee and quarterly performance reports. Not all measures are publicly available.

There is an opportunity for the council to develop and report on measures about IPP4 – Storage and security of personal information, for example privacy breaches, including cyber security incidents.

We assess this recommendation as in progress.

3. Culture of openness

Introduction

Agency leaders are responsible for establishing a culture that is consistent with the proactive disclosure principles of right to information and information privacy legislation. As an indication of an agency's culture, we expect to see a clear statement of commitment to the community's right of access to government-held information.

Under the *Right to Information Act 2009* (the Act), 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 increase the flow of government-held information to the community. This approach raises community confidence in government agencies.

Information is a commodity and agencies must manage it as they manage their other assets. They should know what information they hold and classify it to ensure they make the maximum amount available in the public domain.

In our original audit, we found that ICC did not make its statement of commitment to right to information visible and prominent on its website. Its right to information webpage was difficult to locate and did not reflect the intent of the Act.

The council offered a range of administrative access arrangements on its online services webpage but it did not effectively promote these arrangements ahead of formal applications.

ICC had not systematically classified and identified its information assets suitable for public release. When information owners assess the assets under their control, agencies are better placed to proactively disclose the maximum amount of information, as the Act intends.

Figure 3A shows the implementation status of the recommendations about culture of openness.

Figure 3A
Culture of openness

Recommendation		Status
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.	Fully implemented
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.	Fully implemented
6	We recommend that Ipswich City Council: within eighteen months: <ul style="list-style-type: none"> identifies and classifies information assets ensures it publishes information that is significant, appropriate and accurate. 	Partially implemented

Source: Office of the Information Commissioner

Results and conclusions

Commitment to right to information

In our original audit we reported that the council's right to information webpage was difficult to find and required a search engine to locate it. ICC did not support the principles of proactive disclosure by explicitly stating its commitment to right to information.

We recommended the council makes its right to information webpage and statement of commitment to right to information more visible and prominent on its website.

ICC has addressed this recommendation. The right to information webpage is more visible and easier to access from the website home page menu and footer.

The council has moved its statement of commitment to right to information to the top of the accessing information webpage. It also prominently displays a statement of commitment at the top of the right to information webpage.

We assess this recommendation as fully implemented.

Administrative access arrangements

Administrative access arrangements often are a structured process to release information simply and efficiently. We expect agencies to promote administrative access on their websites and encourage people to use these arrangements, setting formal applications under the Act and the *Information Privacy Act 2009* as a last resort.

In 2018, ICC had administrative access arrangements on its website. However, the council did not facilitate access to information by publicising these arrangements consistently or linking to them.

We recommended ICC promotes its administrative access arrangements on the right to information webpage, ahead of directing people to the legislative application process.

The council's accessing information webpage now promotes access to information ahead of the legislative process. It includes information about:

- what administrative access seeks to achieve
- contact details for seeking assistance
- process for current employees seeking access to their employee records
- list of online services where users can access information administratively (i.e. pd online).

We assess this recommendation as fully implemented.

Information assets

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.

ICC had not identified and classified its information holdings and datasets. In our original audit, we acknowledged that the council adopted an ICT Information Classification and Handling Directive in December 2017. The directive describes how the council will classify and handle information. It requires information owners to classify information assets under their control. They can classify information assets as 'most confidential', 'confidential', 'restricted' or 'public'.

We recommended that ICC identifies and classifies its information assets so that it can maximise the amount of information available to the public, in line with the proactive disclosure objectives of the Act.

ICC has a directive and two policies currently co-existing and serving related but different purposes.

The ICT Information Classification and Handling Directive continues to provide a foundation for the four information classification levels (most confidential, confidential, restricted and public).

The purpose of the directive is to protect the council's information assets from unauthorised access, modification, disclosure, transmission or destruction. The directive defines information and information assets. In the directive, public means:

Data/information that is available to the general public and intended for distribution outside Council. Public information includes, but is not limited to various services, marketing brochures and promotional literature, advertising media and Council's web site. Public information is considered to have value and it is intended to be brought to the notice of the general public.

The directive requires information owners to classify information assets under their control. It also covers security, system and access controls.

The Information Systems Security Policy is about security of information and information systems. It focuses on digital information and security and access controls. It does not define an information asset, although the Records and Knowledge Manager's responsibility is to '*Identify and classify Digital Information across all Council Information Assets.*' The policy does not detail classification levels; it only refers to information sensitivity and security. The policy does not refer to the directive.

The Open Data Policy relates to a specific type of information and its proactive disclosure through the open data portal. Section 1 states '*Classify data in the context of open data as Open, Shared or Closed*'. It lists criteria for each classification. Open means:

Published under a licence for anyone to access, use and share.

Containing no:

- *Personal data*
- *Data owned by a third party*
- *Information that is otherwise deemed 'sensitive' by the Council*

In most instances, a dataset containing personal information or data owned by a third party cannot be published. It may be published with

the express permission of the data subject (personal data) or the data owner (third party IP).

This policy details ‘*only and solely a framework for sharing Ipswich City data with the public which has wide reuse potential.*’ The policy does not refer to the directive.

The council has developed an information asset model based on the QGCIO Information Classification Standard. The model provides an overview of the identified information asset domains and classes. ICC advises that the model is part of the foundation work it has established to begin classifying the information assets and finalising an information asset register.

In May 2020, the council established a Data Governance Advisory Group. Under the terms of reference, the group is responsible for:

Driving the effective and contextual use of data at Ipswich City Council (Council) internally and externally.

One of the group’s objectives is to oversee the establishment of a Transparency and Integrity Hub. The aims of this hub are to increase data use internally and externally and improve transparency and public trust, data quality and credibility, data accessibility, and data governance.

ICC has recently invited the market to tender for the hub’s development and implementation.

The council sees the Transparency and Integrity Hub and the Data Governance Advisory Group as a step to boost the classification of information assets and the publication of information that is significant, appropriate and accurate.

While ICC has published 72 datasets on the Australian government’s open data portal³, the open data webpage on its own website is difficult to locate without the use of the search engine.

In addressing this recommendation, the council has focused on publishing datasets on its open data portal. It has not yet classified its information assets to make the maximum amount of significant, appropriate and accurate information available to the public through other means such as:

3 www.data.gov.au

- publication scheme
- website
- administrative access schemes.

We assess this recommendation as partially implemented.

4. Compliance

Introduction

In our audits, we assess an agency's compliance with specific legislative requirements and more generally the adoption of the push model that supports openness and transparency. In particular, we examine the agency's:

- publication scheme
- application handling process
- disclosure log, if applicable.

In 2018, we found that ICC operated a publication scheme which was compliant in format and structure. However, there was further work to do about the information the council was publishing.

While the council processed applications quickly, its template notices and Right to Information (RTI) manual contained technical issues and inaccuracies. The documents did not support an efficient, consistent and compliant application handling process.

When responding to a document retrieval request, departments within council limited the information they released and, on occasion, redacted documents to remove information they thought was not relevant.

A disclosure log can be an effective and efficient way to push information out to the community. There is no legislative obligation for local governments to maintain one. ICC did not have a disclosure log.

Figure 4A shows the implementation status of the recommendations about compliance.

Figure 4A
Compliance

Recommendation		Status
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.	Fully implemented

Recommendation		Status
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.	Limited progress
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 <i>Right to Information Act 2009</i> (Qld) or <i>Information Privacy Act 2009</i> (Qld).	Fully implemented

Source: Office of the Information Commissioner

Results and conclusions

Publication scheme

Section 21 of the *Right to Information Act 2009* requires that all agencies publish a publication scheme. A publication scheme is integral to the push model where agencies disclose information proactively.

In 2018, we found that ICC complied with its legislative requirements for operating a publication scheme. However, the scheme did not assist people to obtain significant, accurate and appropriate information in some information classes, particularly policies and lists.

ICC has amended the publication scheme which now includes more significant and appropriate information under the information classes. For example, the scheme covers:

- agency locations and contacts
- council policies
- lists and registers required to be kept by law.

The council also added hyperlinks to information under each information class. For example, there is direct access to registers not previously linked such as councillor interests and cost recovery fees.

When there is no direct hyperlink to a register in the list, ICC explains how to request access or inspect the register.

We assess this recommendation as fully implemented.

Application handling

When assessing the application process, we examine compliance with specific legislative requirements and the overall management of applications. We expect to see a comprehensive suite of template documents supporting an efficient, consistent and compliant process.

We also examine the agency's process for locating and assessing the information.

Template documents and RTI manual

In 2018, we found that ICC's template notices did not offer adequate support for handling applications because they were not all accurate nor consistently used.

We recommended that the council reviews its template documents and manual to ensure they are accurate, up to date and support legislatively compliant application handling.

In March 2020, ICC responded that it had adopted new template notices and a new manual to ensure the application handling process was compliant. It also renamed the original RTI manual as 'Work instructions'.

The new manual is high level. This is not an issue in itself, provided the manual aligns with, and refers to, more detailed guidance outlined in supporting documents such as the work instructions. However, the manual, the work instructions and the template notices do not align nor refer to each other.

The manual does not assist council staff about the specific administrative actions they need to take or guide them to a particular section of the work instructions. It also does not identify what template notices staff need to use for a specific step of the application process.

For example, the work instructions state that when asking for an extension, the staff member sends an Extension Notice to the applicant. There is no longer an Extension Notice in the new suite of template notices adopted in March 2020. Furthermore, the manual does not mention using the Extension Notice. It states:

At any time before the processing period ends Council can ask the applicant for more time to deal with the application.

ICC has reduced the number of template documents, from 50 in 2018 to 12 by March 2020. This means that occasionally staff need to draft correspondence without the support of a template. For example, there is no longer a template for when the council receives an application made under the wrong Act.

The council has created an Application File checklist that summarises the basic administrative actions required to process the application, such as allocating an application number and entering application details into the case management system. The emphasis of the checklist is on right to information applications.

Similarly, the work instructions relate to applications made under the *Right to Information Act 2009*. There are no similar instructions for applications made under the *Information Privacy Act 2009*.

We acknowledge that ICC has made some late progress towards implementing Recommendation 8. However, the council has still considerable work to do to ensure that its template notices, manual and work instructions align and support legislatively compliant application handling.

We assess this recommendation as limited progress.

Document retrieval request

In 2018, we found examples where departments limited the information they released to the decision-maker and, on occasion, redacted the documents to remove information they thought was not relevant. We considered that the council's document retrieval request form was a contributing factor.

We recommended that the council explains to its departments their roles and responsibilities when responding to requests for documents under the Acts.

In 2019, ICC conducted presentations to various departments to raise awareness of staff responsibilities when responding to document retrieval requests. These presentations covered the obligations to give the decision-maker all documents identified through searches.

During the follow-up audit, the council amended the document retrieval request form to include an explicit statement reminding staff they must give the decision-maker all documents in full.

We assess this recommendation as fully implemented.

5. Camera surveillance systems

Introduction

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

As at August 2017, ICC operated 545 fixed surveillance cameras and 83 portable audio recording devices. It had three types of camera surveillance:

- Safe City monitoring facility (public safety)
- corporate surveillance security system (asset protection and staff safety)
- portable audio-visual recording devices (regulatory compliance and staff safety).

In 2018, we reported that the council's Safe City camera surveillance system was a mature system, with policies, procedures and organisational strategies that had built-in protections for privacy and data security.

However, ICC had not conducted a privacy impact assessment to identify privacy risks, and set up proportionate controls, for its corporate surveillance security system and portable audio-visual recording devices.

We also reported that the council was not fully compliant with the privacy principles about telling people that it collected personal information through its camera surveillance systems.

Figure 5A shows the implementation status of the recommendations about camera surveillance.

Figure 5A
Camera surveillance

Recommendation		Status
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.	Fully implemented

Recommendation		Status
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.	In progress
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.	Fully implemented

Source: Office of the Information Commissioner

Results and conclusions

Structured policies and procedures

In 2018, we found that ICC had well structured policies and procedures that supported how it operated and managed its Safe City camera network. However, it did not operate its corporate surveillance camera system and portable audio-visual recording devices with the same level of maturity.

We recommended that ICC develops policies and procedures that address the privacy obligations and risks of operating its corporate surveillance cameras and portable audio-visual recording devices.

The council adopted a Corporate Security Camera policy in September 2019. The policy details the purpose and principles the council adopted in operating the corporate surveillance security camera network. The policy covers:

- ownership and responsibilities for managing, operating and using security cameras
- restricted access to authorised council officers
- retention of and access to recorded material
- arrangements for the Queensland Police Service obtaining information about the cameras
- installation of cameras.

ICC developed a Use of Offence Detection Camera Devices procedure. The council's General Manager, Planning and Regulatory Services approved the procedure on 5 March 2020.

This procedure is about using cameras and portable devices to detect offences and collect evidence. It covers:

- installing cameras at hot spot areas
- surveillance follow-up and checking cameras for offences
- reviewing surveillance footage
- attending site to remove cameras
- collecting evidence and securing data/footage.

We assess this recommendation as fully implemented.

Collecting personal information

At the time of our original compliance audit, the council advised that it was redeveloping the mall, and that it intended to increase camera surveillance signage as part of the redevelopment.

ICC stated that it would explore putting collection notices within council owned/occupied buildings for the Corporate Surveillance Security system. It did not comment on collection notices for portable audio-visual recording devices.

We recommended that ICC 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.

The council has collection notice signage for its Safe City and corporate surveillance security camera networks. The signs display the council's name and logo. They clearly state the purpose of collection and include:

- a reference to the *Information Privacy Act 2009*
- details of the council's disclosure practices
- contact details for further information about the council's use of CCTV.

Figure 5B is an example of the collection notices ICC has produced for its surveillance camera networks.

Figure 5B
Camera surveillance collection notice



Source: Ipswich City Council

ICC also includes a copy of the notice on its Safe City Program webpage.

Corporate surveillance security cameras

The council uses the signage to make people aware of the corporate surveillance security cameras. We found signage at the entrance to council buildings, for example:

- the council library
- the council's administration building
- the council chambers.

We are satisfied that the council meets its obligations under IPP2 for this camera system.

Safe City cameras

ICC advises that it has 320 public safety cameras in use. There are 60 locations throughout the region where the council has installed signage alerting people to its use of security cameras in the area.

ICC has installed signage around key entry points to various precincts where it operates surveillance cameras. For example, there are multiple CCTV cameras along the Brassall bikeway. The council has positioned signage at the entry points to the bikeway to alert individuals entering the bikeway that cameras are operating in the area.

Placing signage at the entry points to a precinct where there are multiple surveillance cameras is one approach to make the public generally aware that an agency is capturing personal information. This approach becomes less effective when the signs do not cover the great majority of entry points into the precinct. In the CBD, ICC has put stickers on many camera poles. This adequately supplements the metal signs placed at this precinct's entry points. However, this practice is not prevalent in other council areas.

We recognise that there are restrictions on where the council can place signage in some areas or that too much signage might be unsightly. However, ICC needs to ensure it meets its legislative obligations under IPP2 and makes the public generally aware of the purpose of collecting personal information with clear signage in all relevant council areas.

We assess this recommendation as in progress.

Privacy impact assessments

We originally reported that ICC had data security policies, procedures and practical protections for its Safe City camera system. However, the council had not conducted privacy impact assessments for the different camera networks it operated to identify privacy risks for the footage and develop proportionate privacy protections.

We recommended that the council conducts a privacy impact assessment of all its camera surveillance systems and develops documented data storage and security strategies to manage risks that the privacy impact assessment identified.

The council has conducted privacy impact assessments for its:

- Safe City cameras
- corporate surveillance cameras
- parking enforcement cameras.

In each, ICC concludes that the storage and security meet the requirements of IPP4 based on the camera networks controls. For example, about the corporate surveillance camera:

- archive is located in a secured facility with restricted access
- footage is streamed through a secured network and viewed in the Safe City control room
- access to the network is restricted and requires software and passwords to receive images
- access is granted on an individual basis and only after relevant training
- footage is stored for 4 days before it is automatically overwritten by the system
- operators have set procedures in place for the release of information to the Queensland Police Service and other parties.

The council's Information Requests – Community Safety and Innovation Procedure applies to both Safe City and corporate surveillance security camera networks. It outlines the process for releasing footage collected from these networks.

We are satisfied that the council has performed privacy impact assessments of the camera systems it operates in accordance with the recommendation. It has well documented policies and procedures for Safe City cameras as we noted in our original audit. ICC has adopted or approved for use policies and procedures for its other camera networks and portable recording devices.

We assess this recommendation as fully implemented.

Appendix

In accordance with our policies and procedures, we provided this report to Ipswich City Council with a request for comment.



City of
Ipswich

Ipswich City Council

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Rachael Rangihaeata
Information Commissioner
Office of the Information Commissioner
rachael.rangihaeata@oic.qld.gov.au

11 June 2020

Dear Ms Rangihaeata

Re: Follow-up audit - regarding Ipswich City Council

Thank you for your letter of 4 June 2020 regarding the follow-up Audit of Report No. 3 of 2017-18: Audit of Ipswich City Council's implementation of recommendations, Compliance with Right to Information and Information Privacy (the report).

I sincerely appreciate the opportunity you have provided Ipswich City Council (Council) to review the report prior to tabling in Parliament and to demonstrate this Council's absolute commitment to full implementation of all recommendations.

I note that of the Audit's twelve (12) recommendations your Office has assessed that six (6) of the recommendations have been fully implemented, two (2) of the recommendations have been partially implemented and three (3) recommendations as in progress. However, I also note that one (1) of the recommendations has been assessed as having limited progress.

To further demonstrate Council's work to fully implement all recommendations, for those that have been assessed as anything other than fully implemented, I have provided a response in the attachment to this letter.

Thank you for tabling this response in the Parliament along with your report. In closing, I take this opportunity to thank you and your Office, particularly Ms Sandra Heidrich and Mr Dean Girvan, for their assistance and support to this Council during the follow up audit.

If you, or one of your officers, would like to discuss any aspect of this response, please contact Ms Sonia Cooper, General Manager, Corporate Services, via telephone on 3810 6265 or email at sonia.cooper@ipswich.qld.gov.au.

Yours sincerely

David Farmer
CHIEF EXECUTIVE OFFICER

IPSWICH CITY COUNCIL RESPONSE TO THE FOLLOW-UP AUDIT OF REPORT

NO. 3 OF 2017-18: AUDIT OF IPSWICH CITY COUNCIL'S IMPLEMENTATION OF RECOMMENDATIONS, COMPLIANCE WITH RIGHT TO INFORMATION AND INFORMATION PRIVACY

Recommendation	Detail of recommendation	OIC Assessment on Implementation Status	Ipswich City Council Response
1	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.	In Progress	<p>Ipswich City Council (Council) has substantially implemented this recommendation.</p> <p>Council has developed and implemented a significant number of supporting documented policies and procedures to drive right to information and information privacy aims. These documents include the following:</p> <ul style="list-style-type: none"> Information and Communication Technologies Strategy 2019-2024 including guiding principles for information as an asset and the importance of data and information management Right to Information Policy approved by Council on 28 October 2019 Information Privacy Policy approved by Council on 28 October 2019 Information Systems Security Policy approved by Council on 10 December 2019 Record Keeping Policy approved on 10 December 2019 Administrative Access Procedure approved on 13 November 2019 Information Privacy Procedure approved on 13 November 2019 Recordkeeping Procedure approved on 13 November 2019 Good Governance Policy and Guide approved by Council on 25 February 2020 and containing a section on the importance of information governance, information privacy and right to information Open Data Policy approved by Council on 25 February 2020 <p>As noted in the draft report, an Information and Communication Technology Steering Committee has been established as a sub-committee of the Executive Leadership Team to provide governance, including specifically for information management. The Steering Committee is meeting on a monthly basis and reporting to the Council's Executive Leadership Team with minutes also tabled with Council's Audit and Risk Management Committee.</p> <p>An Information Management Strategy and Governance Framework has been prepared and will be finalised by 30 June 2020.</p>
2	<p>That Ipswich City Council within twelve months, designs and implements training on right to information and information privacy:</p> <ul style="list-style-type: none"> general obligations policies and procedures specific to the council <p>for inclusion in its induction and awareness training, mandatory for all staff.</p>	Partially implemented	<p>Council has designed and implemented training on right to information and information privacy for inclusion in its induction and awareness training, mandatory for all staff.</p> <p>Council is working now to continuously improve its training to include information on policies and procedures specific to the Council and practical scenarios and revision questions to further build awareness and understanding of right to information and information privacy legislative aims and obligations.</p>

3	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.	In Progress	<p>Council has substantially implemented this recommendation.</p> <p>As an important part of its Corporate Planning and Reporting Framework, Council completes a Quarterly Performance Report that is adopted by Council and made available on Council's website for the community.</p> <p>The Quarterly Performance Report outlines progress by Council against the yearly Operational Plan, alignment with the goals of the five year Corporate Plan and updates on key business and service delivery activities.</p> <p>As noted in the draft report, Council has introduced a number of performance measures for access to information and privacy principles. These include:</p> <ul style="list-style-type: none"> • Number of RTI applications received • Number of Internal Reviews of RTI applications • Number of privacy complaints closed and in progress • Number of publication scheme complaints closed and in progress <p>In line with the performance metrics in Council's Open Data Policy, effective from this quarter onwards Council will measure and report on the number of datasets released to data.gov.au (and the new Transparency and Integrity Hub once live from 1 July 2020). The Data Governance Advisory Group that has been established will proactively work with leaders and managers across Council to identify, prepare and proactively push data release.</p> <p>As noted in the draft report, additional performance measures are being introduced in the current and coming quarter including:</p> <ul style="list-style-type: none"> • Percentage of applicants satisfied with the conduct of their internal review • Median days to finalise an application • Percentage of applications resolved by open access to information available on Publication Scheme or Open Data <p>As suggested in the draft report, Council will pursue the opportunity to develop and report on measures about IPP4 – Storage and security of personal information, for example privacy breaches to fully implement the recommendation.</p>
6	That Ipswich City Council within eighteen months, identifies and classifies information assets and ensures it publishes information that is significant, appropriate and accurate.	Partially Implemented	<p>Council will continue to fully implement this recommendation.</p> <p>Council's ICT Information Classification and Handling Directive published in December 2017 continues to provide a foundation for the four (4) information classification levels (Most Confidential, Confidential, Restricted and Public).</p> <p>Ipswich City Council now publishes 72 data sets to the data.gov.au Open Data Portal and is working to increase the publication of information that is significant, appropriate and accurate.</p> <p>As noted in the response on the OIC assessment for recommendation 1, an Open Data Policy was approved by Council on 25 February 2020.</p> <p>A Data Governance Advisory Group has been established in early May 2020 and is focussed on the proactive, open publication of additional data sets and information by Ipswich City Council.</p> <p>In particular, in addition to proactive publication of additional information to data.gov.au, Ipswich City Council has recently invited the open market to respond to a tender, has now appointed a successful tenderer and is now developing and implementing a new Transparency and Integrity Hub.</p> <p>Council has completed work to support the classification of its information assets, and will work urgently to finalise this, to ensure the appropriate and maximum amount of information is available through the administrative access and publication schemes and on Council's website. The classification of the information assets will allow Council to ensure even more effective publication and accuracy of information.</p>

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.	Limited Progress	<p>Council will continue to fully implement this recommendation.</p> <p>Council has reviewed its template documents and manual for application handling and sought to ensure that the documents are accurate, up to date and support legislatively compliant application handling and good practice.</p> <p>The number of templates was reduced with the aim of addressing complexity and supporting good practice.</p> <p>Council has created an updated checklist for application handling and this will be included in the document to be used for every application. This checklist will be attached to the application file in Council's database as discoverable evidence in quality assurance checks/audits moving forward.</p> <p>To ensure full legislative compliance in its templates and work instructions, Council will act urgently on the guidance from the OIC to make the necessary amendments. Council will quality assure the templates and work instructions with assistance from its internal legal team and required amendments will be made immediately to ensure legislatively compliant application handling and good practice.</p> <p>Council will continue to review the templates and manual to ensure they remain current and meet all legislative requirements.</p>
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.	In progress	<p>Council considers this recommendation to be fully implemented as it has installed 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>Council has implemented a combination of standalone notification signs near entry areas and at approximately every 3rd pole in particular geographic areas with multiple cameras. For example, 22 cameras are on 11 poles in West Ipswich located within approximately 60 metres of each other.</p> <p>In addition to the standalone notification signs, a large percentage of camera poles also now have stickers with the collection notification.</p> <p>Additionally, Council does not own and is not responsible for every public safety or security camera in the Ipswich local government area. The Department of Transport and Main Roads and Queensland Rail have many cameras on roads, as well as private businesses and other State and Federal government buildings such as ICON.</p> <p>Council currently has 320 public safety cameras. Cameras are located on individual poles and 74 shared poles, the awning of private buildings or on top of an elevator shaft some 40 metres above pedestrians.</p> <p>Council is committed to continuing to make people generally aware of its use of cameras where possible at all relevant entry points to the City.</p> <p>All public safety cameras in the new Central Business District Mall will be placed up high on building awnings therefore Council will ensure notifications are erected at each entrance to the precinct.</p> <p>Council will continue to install more signage notification as camera maintenance is conducted or for any new installations in addition to Privacy Impact Assessments and Statements.</p>