

<b>Circular Details</b>	Circular No 22-15 / 23 May 2022 / A815881
<b>Previous Circular</b>	19 – 21 Release of IPC Guideline 1 Returns of Interest
<b>Who should read this</b>	Councillors / General Managers / Council Governance Staff
<b>Contact</b>	Council Governance / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a> / (02) 4428 4100
<b>Action required</b>	Information

## Guidance for councils on the publication of disclosure of interest returns

### What's new or changing

- The Information and Privacy Commission (IPC) has developed a video animation which provides guidance to councils on the requirement to publish disclosure of interest returns on their websites. The video is available [here](#).
- Councils should review how they currently publish disclosure of interest returns on their websites by applying the principles set out in the video animation.

### What this will mean for your council

- The IPC's video has been developed to complement the compliance report it published last year following an audit of councils' compliance with the requirement to publish councillors' and designated persons' disclosure of interest returns on their websites in accordance with the *Government Information (Public Access) Act 2009* (the GIPA Act).
- The report makes several recommendations for councils to implement to promote openness and transparency in relation to disclosure of interest returns and a policy framework for managing their publication.
- The IPC's compliance report is available [here](#).

### Key points

- Section 6 of the GIPA Act provides for the mandatory proactive release by NSW public sector agencies (including councils) of open access information. The GIPA Act provides that open access information must be made publicly available free of charge on a website maintained by the agency.
- Councillors' and designated persons' disclosure of interest returns are prescribed as open access information for local government under Schedule 1 to the *Government Information (Public Access) Regulation 2018*.
- The IPC has issued *Information Access Guideline 1 - For Local Councils on the disclosure of information (returns disclosing the interest of councillors and designated persons)* under sections 12(3) and 14(3) of the GIPA Act to assist councils to determine the public interest considerations for and against disclosure of information contained in disclosure of interest returns when publishing them on their websites. Guideline 1 is available [here](#).

### **Where to go for further information**

- The IPC's video is available [here](#).
- The IPC's report on councils' compliance with the requirement to publish councillors' and designated persons' disclosure of interest returns on their websites is available [here](#).
- The IPC's Guideline 1 is available [here](#). Further information on open access information requirements for local government is available [here](#).
- For more information on these requirements contact the IPC at 1800 472 679 or by email to [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au).
- The Office of Local Government (OLG) has issued guidance on the completion of disclosure of interest returns which is available [here](#).
- For more information on these requirements, contact OLG's Council Governance Team by telephone on 4428 4100 or by email to [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).

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**Deputy Secretary, Crown Lands and Local Government**