



information
and privacy
commission
new south wales

Enquiries: Michael Wright
Telephone:
Our reference: IPC18/A000236

Mr Joe Rezo
A/Coordinator, Industry Support
Engagement and Complaints Unit
NSW Fair Trading
GPO Box 4042
Sydney NSW 2001

Dear Mr Rezo

Complaints Register Guidelines Review – Issues Paper

I refer to your email of 3 May 2018 seeking comment from the Information and Privacy Commission on the Issues papers prepared for the Review of the NSW Fair Trading Complaints Register Guidelines.

As the NSW Information Commissioner and the NSW Open Data Advocate, I encourage all NSW government agencies to maximise the proactive release of information through the application of the NSW Government's Open Data Policy. The publication of the Complaints Register data by NSW Fair Trading empowers consumers to make more informed decisions about businesses operating in NSW and encourages business to improve its services, products and complaints handling processes.

Complaint outcomes

The Issues Paper notes that the Register currently only contains the number of complaints received for each business, but does not provide any information as to the resolution of these complaints. Publication of the outcomes of complaints would further assist consumers in making decisions about which businesses to patronise. The publication of outcomes data may also be beneficial to business, allowing them to demonstrate their responsiveness to customer concerns.

The Information and Privacy Commission encourages agencies to proactively release government information unless there is an overriding public interest against disclosure, in accordance with the provisions of the *Government Information (Public Access) Act 2009* (GIPA Act). The publication of outcomes data on the Register would be consistent with the objects of the GIPA Act to open government information to the public.

Regularity of updating

The IPC would encourage NSW Fair Trading to continue the publication of the Complaints register on a monthly basis. This will ensure that consumers are able to access the most up to date information on complaints. Monthly updates will also allow any remedial actions or improvements made by businesses, which then result in fewer complaints, to become visible to the public more quickly.

Continuing to up-date the Register on a regular basis would be consistent with the NSW open data principles. In particular, this would accord with the requirement that agencies manage data as a strategic asset that is primary and timely, and well managed, trusted and authoritative.

Longevity of data

Data published on the Complaints Register should remain accessible online in a searchable format for as long as possible. Archiving of the data off-line would reduce the utility of the information that has been published. Long-term publication could be achieved by continuing to publish the most recent 24 months data on the NSW Fair Trading website and providing a link to historical datasets on the NSW Government open data portal. This would allow consumers to access the most recent information on complaints while also allowing interested parties to continue to access long-term data as required.

I would be happy to discuss the above comments in further detail. Alternatively your officers may contact Michael Wright, Manager, Performance Reporting and Projects on (02) or by email:

Yours sincerely

 22 May 2018
Elizabeth Tydd
CEO, Information and Privacy Commission NSW
Information Commissioner
NSW Open Data Advocate