

## **ABS Post-Draft Report Submission to the Productivity Commission Inquiry into Data Availability and Use**

### **1 Introduction**

1. The Productivity Commission's Draft Report on Data Availability and Use is a valuable contribution to encourage more effective use of our national data resources. The Draft Report flags a number of recommendations which would make for a more efficient data system and encourage data sharing and use. The institutional reforms which are recommended come from a widespread determination to release more data with coordination and cooperation between the Australian and State and Territory Governments. The 'risk management' rather than 'risk avoidance' approach will help challenge outdated cultural barriers which have stopped public sector data from reaching its full potential.

2. The Draft Report suggests an advisory role for the ABS in areas such as data de-identification and confidentiality. The ABS would be happy to take such a role in areas where we have significant experience and expertise.

### **2 Framework for Australia's data future**

3. The Draft Report recommends a number of legislative and institutional changes, as outlined in Section 9.6 and Box 9.6 (p366). The Draft notes that implementation will require time and detailed planning. The Draft Report recommendations offer a pragmatic opportunity to provide a breakthrough for safely using data across the public and private sectors. A new framework could also lead to real improvements in data governance arrangements and data management across the public sector. Some caution should be taken to ensure any new arrangements do not add to an already complex data and statistical system.

### **3 Role and functions of a National Data Custodian (NDC)**

4. Having a National Data Custodian as a central point for oversight of the operation of the national data system could be useful to systematise the current loose, collegiate data policy and governance arrangements in place across the Australian and State/Territory Governments.

5. Central leadership and governance could drive a systematic approach to the sharing, integration and use of data in Australia. The ABS's experience with the Cross Portfolio Statistical Data Integration initiative is that having a single body with central oversight brought value in terms of reaching Commonwealth, and increasingly State/Territory agreement to principles and processes for data integration. The *High level principles for data integration involving Commonwealth data for statistical and research purposes*, along with a framework of institutional and governance arrangements, built a safe and effective environment for data integration involving Commonwealth data. While it was cumbersome at times, this initiative oversaw a large increase in data integration activity involving Commonwealth data holdings, while minimising the risk of personal information breaches. This work is being taken forward successfully by the new, streamlined data governance committees established as part of the Australian Government Public Sector Data Management agenda. The arrangements were originally trialled by Commonwealth

Integrating Authorities and are now being extended to allow accreditation of integrating authorities outside the Commonwealth. Opening up integration of Commonwealth data to a wider range of organisations has potential to deliver significant benefits for the nation.

6. The National Statistical Service (NSS) has undertaken some of the roles ascribed to a National Data Custodian in the Draft Report. The NSS was officially launched by the ABS in 2004 as a community of government agencies tasked with creating and promoting use of statistics for a better informed Australia. While there was general cross-government support for the NSS, it had no formal status and its scope was not defined or agreed. It will be important to learn from this, and look to establish a strong authorising environment to support the role of a National Data Custodian.

7. The ABS can offer some relevant NSS-related experience:

- The NSS focused on a range of activities and initiatives, most in collaboration with Commonwealth, State and Territory government agencies. The NSS developed national statistical policies, frameworks and arrangements, such as the ABS Data Quality Framework, the Spatial Statistical Framework, the Statistical Clearing House and Statistical Data Integration.
- The NSS website, which is maintained by the ABS, provides public access to information relevant to the national statistical and data system, such as the Confidentiality Information Sheets, Guidance on Statistical Data Integration and the Processes for Accreditation of Integrating Authorities and the Public Register of Commonwealth Data Integration Projects.
- On behalf of the NSS, the ABS consulted widely to develop the Essential Statistical Assets for Australia that identified the statistical assets (and data assets which are essential to those statistical assets) which are critical to decision-making in Australia. This work could be a natural starting position for identifying possible National Interest Datasets (NIDs), noting that they extend beyond ABS datasets.

8. The Draft Report also notes the different uses of data (figure 9.1, p334), including research and compliance uses. It is internationally agreed (in the UN *Fundamental Principles of Official Statistics* and the OECD *Recommendation on Good Statistical Practice*) that information collected for statistical purposes should be strictly confidential and used exclusively for statistical purposes. The ABS would never consider breaking the trust placed in it by the Australian community and business sector by enabling the sharing and use of identifiable statistical information for non-statistical purposes (such as law enforcement, compliance, or service delivery). Whoever has the role of accrediting trusted data users will need to understand the significant differences between accessing and using data for different purposes including statistical and compliance purposes. Keeping a clear distinction between these uses will be critical for maintaining high levels of public trust which is critical in ensuring high response rates from households and businesses to ensure high quality official statistics.

#### **4 Role and functions of sectoral-based Accredited Release Agencies (ARAs)**

9. The Draft Report proposes the establishment of sectoral ARAs to enable streamlined access to curated datasets to build trust and deliver benefits to the data system as a whole.

The proposed sectoral ARAs would be trusted experts that have close relationships with data custodians in the sector and could work collaboratively across their sector to improve data sharing and access. The Draft Report notes that sectoral ARAs will need to be funded to manage their data effectively - proper investment in data management capability across Government would facilitate quicker and more efficient sharing of data. ABS welcomes this desired outcome.

10. In addition to sectoral ARAs, there is also a need for streamlined cross-sectoral access to curated data to support the major cross-sectoral data initiatives like the Multi-Agency Data Integration Project (MADIP) and Business Longitudinal Analysis Data Environment (BLADE). These integration projects are collaborations across a number of Commonwealth agencies. The ABS is keen to explore how a sectoral ARA model could work best for cross-sectoral data sharing and use.

11. In ABS experience, it is the cross-sectoral sharing and data integration that will provide the most valuable public policy and research insights. Cross-sectoral access and use significantly enhances the ability of the public sector to safely provide insights into complex policy issues, such as improving the wellbeing of vulnerable populations, understanding life and educational transitions, productivity and workforce participation.

12. A sectoral ARA may not be best suited to the supply of sectoral data integration services. It will also be important to avoid creating layers of approval where they are not needed. For example, it may be preferable for sectoral ARAs to have responsibility for public release decisions about only sensitive or nationally important releases, rather than all data releases in the sector.

13. Finally, to ensure an efficient system which is not overly complex, the ABS would recommend limiting the number of sectoral ARAs. While it is easy to identify some social policy sectors which naturally lend themselves to a sectoral ARA (e.g. health, education and welfare), there remain some more difficult areas. For example, Aboriginal and Torres Strait Islander affairs could be a sectoral ARA that could equally draw data from social policy sectors. A sensible approach may be to err on the side of recommending fewer ARAs at this stage.

## **5 Data Sharing and Release Act and Comprehensive consumer rights to access, edit and transfer their data**

14. ABS has been working with the NSW Government following the introduction of the Data Sharing Act in NSW. Similar legislation has just been passed in SA. It will be useful to consider the success of these State data reforms in the advent that the Commonwealth also decides on legislative paths.

15. The Draft Report notes several potential disadvantages that need to be addressed including the 'unanticipated effects at the interface between existing legislation and a new, dedicated data sharing legislation' (p319). ABS suggests further consideration needs to be given to how a Data Sharing and Release Act would interact with existing legislation, particularly the Census and Statistics Act, which has strong legislative protections that build community trust and underpin the quality of Australia's official statistics.

## 6 Centralised vs federated organisational models

16. Section 8.4 of the Draft Report (Policy options for sharing and release of public sector data), discusses various options for coordination of data releases and seeks advice on different models for interoperability with release authorities. Three models for coordination of release are evaluated: coordination at the jurisdictional level; sectoral level; and by a single national entity. The ABS submission to the Inquiry is quoted as preferring a centralised model that ‘facilitates the management of risk, security and costs’ (p322).

17. In discussing centralised models, the ABS was not proposing a single, centralised sharing and release point for all government datasets across multiple sectors and jurisdictions. Rather, ABS was proposing a centralised model for selected large-scale cross-sectoral data sharing and integration projects, such as the MADIP and BLADE. Other data sharing and integration projects could be undertaken at the sectoral level.

18. The ABS raised questions around ‘federated’ approaches for data sharing where the data sits with custodians and is linked ‘on-the-fly’ when requested by analysts. These largely technology-driven models require a large amount of data transfer and also rely on gold-standard data management and standards. Satisfying the required data standards could be extremely expensive and impractical in the medium-term. Noting these concerns, the ABS would welcome trials and development of federated approaches and recognise they can have value in particular circumstances.

19. MADIP and BLADE are managed collaboratively by a number of partner agencies. They both have centralised data integration and access models which work well to create new, enduring data assets that will have wide access and use. The approach to managing these projects has been informed by the development experiences of the New Zealand Integrated Data Infrastructure system. The MADIP Evaluation Report 1, released in June 2016, describes the success of the project to date which has been delivered through a collaborative, centralised data sharing and integration model.

‘The MADIP project is widely considered a real breakthrough in responding to the burgeoning demand for integrated public sector data to better respond to complex policy questions. The Project addresses criticisms of the traditional project-by-project approach in which linked data is not provided to parties beyond those directly involved in the project, and is typically destroyed at the end of the project. Through strong partnerships with a focus on reducing red tape, the Project is demonstrating that data can be linked once and used repeatedly in a safe manner that is consistent with legislation and protects privacy. This means that the time and resources spent complying with governance arrangements and agency requirements for individual integration projects can be devoted to more productive use of scarce data analysis skills and capability in both the public and research sectors.’

## 7 Trusted data access

20. Public sector agencies need assistance with safe release of data. ABS assistance is regularly sought in terms of understanding data privacy issues, data confidentialisation methods, and data access mechanisms. Protecting the confidentiality/secretcy of data is not

just a technical problem - the ABS has been able to improve access to its data by recognising this.

21. As recommended in the Public Sector Data Management (PSDM) report, the ABS has been developing a Trusted Access Model to enable effective and secure access to detailed and sensitive datasets. Like other National Statistical Offices such as the Office for National Statistics in the United Kingdom and Statistics New Zealand, the ABS has adopted the Five Safes Framework as a structured and holistic way of implementing Trusted Data Access.

22. Lessons learned so far include the importance of enabling legislation and policy, and the need to allocate sufficient resources to build modern access technologies such as secure research centres that curate and deliver datasets. Equally importantly, the new approach involves an active engagement between government and researchers, data custodians and data users, highlighting the need for ongoing partnerships and sound judgement in addition to technical solutions.

23. In partnership with the ABS and the Department of Social Services, the Academy for the Social Sciences in Australia convened a workshop in November 2015 among academics and a number of Commonwealth agencies to explore how a Trusted Access Model could work in the Australian context. This was a useful forum for discussion and debate of privacy and access issues. The ABS continues to further cross-sectoral engagement to build a collaborative outlook on user accreditation, capability and training requirements, project assessment and other aspects of implementation that work well for both Governments and the research sector. Ongoing, collaborative deliberations could help inform the implementation and governance of an effective Trusted Access Model in Australia. The ABS is ready and able to help in this.

## **8 Conclusion**

24. As Australia's National Statistical Agency, the ABS has a long history of collecting, safeguarding and providing data on issues of national importance. The ABS welcomes new opportunities to further strengthen Australia's data availability, use and value. In the context of a rapidly changing data landscape, the Commission's Data Availability and Use Inquiry presents an exciting opportunity to address emerging data needs.