



## Australian Government

### Department of the Prime Minister and Cabinet

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#### **Data Availability and Use**

Productivity Commission  
GPO Box 1428  
Canberra City ACT 2601

Dear Commissioners Harris and Cilento

#### **The Department of the Prime Minister and Cabinet's response to the Productivity Commission's Draft Report on Data Availability and Use**

The Department of the Prime Minister and Cabinet (the Department) welcomes the opportunity to respond to the Productivity Commission's (the Commission) Draft Report on *Data Availability and Use*.

The Commission's Draft Report is a significant investigation into the current status and transformative potential of a data-driven society and Australian economy. The Draft Report is comprehensive, and provides a valuable opportunity to accelerate the broader data agenda—encompassing individuals, the private sector and governments.

Significant work has been undertaken to progress the public data agenda. For example, there are now over 20,000 data records published on data.gov.au which includes nearly 10,000 datasets and other related resources. This is a significant increase of openly available public data since 2013 when there were only approximately 500 datasets published on data.gov.au.

Work to progress longitudinal data and data sharing and integration has been progressed, and includes enhancement and coordination of the following datasets that provide valuable insights for informing decision making and policy development: the Business Longitudinal Analysis Data Environment (BLADE); Linked Employer-Employees Database (LEED); Household Income and Labour Dynamics in Australia (HILDA); Longitudinal Survey of Indigenous Children (LSAC); the Longitudinal Study of Factors Affecting Housing Stability; the Longitudinal Study of Australian Youth; Australian Census Longitudinal Dataset; longitudinal Centrelink administrative data (JASON); Migrants Settlements and Census Project; and the Multi-Agency Data Integration Project (MADIP)). Cross jurisdictional data sharing and integration projects have been progressed in the areas of health, education and social policy.

That said, while good progress has been made in realising the benefits of utilising data, the Department agrees that more can be done. The Department notes the Draft Report finding that the Commonwealth Government is lagging behind some States and Territories and overseas counterparts, and major structural reforms for data collection and access to data across all sectors of the economy is required.

The Department is supportive of the key directions outlined in the Draft Report. Most notably: the creation of a new Data Sharing and Release Act; the establishment of a new National Data Custodian; the creation of a suite of sectoral Accredited Release Authorities; a new Comprehensive Right for consumers to access their own data; and broad access to key National Interest Datasets.

In light of the significant reforms being proposed, the Department suggests that the Final Report explores in detail the implementation aspects of the proposed reforms.

#### *Comments on the Draft Recommendations*

The Department notes the following matters:

a) **Office of the Australian Information Commissioner (OAIC) to certify de-identification processes (Draft Recommendation 5.1)**

If the OAIC were to become the certifier for when entities are using best practice de-identification processes as proposed in the Draft Report, it could present a conflict of interest. For example, the OAIC may be required to investigate a privacy breach regarding a dataset or entity which the OAIC may have previously certified is using best practice de-identification processes. Further, the OAIC is a regulatory office staffed with people with high-level policy skills, not advanced technical data skills.

Therefore, the Department suggests that certification of best practices be done by other entities that are better placed to deliver this function. For example, the Australian Bureau of Statistics or Data61 would be well placed to perform this function given their technical expertise.

b) **Data linkage (Draft Recommendation 5.5)**

This recommendation would benefit from clarification, as the reference to 'open' data in the first sentence should state 'public' data. 'Open by default' refers to non-sensitive data that can be published and made openly available. Accreditation to use, link, share and integrate open data is therefore not required.

c) **Broad access to key National Interest Datasets (Draft Recommendation 9.4)**

With regard to the proposal to establish a Parliamentary Committee to consider nominations made for access to data, in our view this function could be more effectively undertaken by the proposed Office of the National Data Custodian. The Custodian could report to an existing Parliamentary Committee, providing Parliamentary oversight of its activities.

The Department looks forward to the Commission's Final Report.

Yours sincerely



Steven Kennedy  
Deputy Secretary

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