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Sent via email to [privacy@dpc.wa.gov.au](mailto:privacy@dpc.wa.gov.au)

Dear Ms Ho,

*Robin*

### **PRIVACY AND RESPONSIBLE INFORMATION SHARING - SUBMISSION**

Thank you for inviting feedback on the Privacy and Responsible Information Sharing (PRIS) legislative reform proposals.

The Department of Jobs, Tourism, Science and Innovation supports the introduction of legislation regarding the handling, use and sharing of personal information by state government agencies, and agrees in-principle with the key proposals outlined in the PRIS Discussion Paper (August 2019).

In 2016, Western Australia's Chief Scientist, Professor Peter Klinken AC chaired the Data Linkage Expert Advisory Group and completed *A Review of Western Australia's Data Linkage Capabilities* ('Data Linkage Review'). The following aspects of the proposed PRIS framework align with key findings of the Data Linkage Review, and are mentioned in the Discussion Paper:

- Western Australia's world leading population health research through its WA Data Linkage System is acknowledged.
- The inconsistent and inefficient way in which public sector agencies currently manage and use information means that the value of the government's information assets cannot be fully realised.
- There is a clear need for whole-of-government legislation and it must strike the right balance between privacy protection and the sharing of information.

Data linkage is mentioned in the Discussion Paper in the context of the WA Data Linkage System. The importance of data linkage is a point worth reinforcing as the Chief Scientist is strongly of the view that there is little point in sharing data if the various data sets cannot be linked. It is therefore encouraging that the proposed legislative framework identifies as one of its main drivers, the facilitation of information sharing, including with third parties, for "research and development to support broader independent research insights and outcomes" (p8). This principle is

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supported as it will help to address concerns that were raised by research institutions during the Data Linkage Review.

The Data Linkage Review also recommended establishing a statutory body to coordinate cross-agency or whole-of-government data linkage projects, on the basis that an independent body with representation from government and research sectors would be able to focus expertise and resources on delivering strategic leadership and advice on data linkage. The PRIS reform proposal highlights the appointment of a Chief Data Officer to support the use, sharing, linking and analysis of information across the public sector. While core functions are yet to be determined, it is conceivable that the Chief Data Officer's role could include leadership and oversight of whole-of-government data linkage. However, it appears that the Chief Data Officer will have multiple functions in which case attention to data linkage could risk being diluted by other priorities and responsibilities if it is included as only one of many responsibilities of the role. The Chief Scientist remains of the view that cross-agency data linkage merits a more singular focus.

Finally, the PRIS Discussion Paper queries how the WA Government should support the successful implementation of privacy and information sharing. From an agency perspective, successful implementation will rely as much on the development of appropriate technology and adoption of suitable shared information platforms that facilitate data sharing between agencies as it will on the governance models proposed in the framework.

It will also be important for appropriate security measures to be in place to ensure that data can be shared securely between agencies. The PRIS reform contemplates responsible data sharing through the use of frameworks such as the *Five Safes*. Some additional factors for consideration include whether minimum security standards are required, whether sharing agencies should be subject to a full security assessment before any data sharing occurs, and/or whether regular security audits for all agencies that share data need to be mandated. As it is uncertain whether such measures are necessary or if responsibility might also fall to the proposed Chief Data Officer, further consideration may be warranted while details are being developed.

The Department of Jobs, Tourism, Science and Innovation is pleased to have had the opportunity to provide input and looks forward to receiving updates on the progress of these important reforms. Please contact Dr Dawn Dickinson, Senior Project Officer, Science and Innovation Division on [REDACTED] or [REDACTED] if you have any queries regarding this submission.

Yours sincerely



Rebecca Brown  
DIRECTOR GENERAL

27 October 2019