



1 November 2019

Public Sector Reform Unit
Department of the Premier and Cabinet
Locked Bag 3001
West Perth WA 6872

By email: [REDACTED]

Dear Western Australian Department of Premier and Cabinet

Privacy and Responsible Information Sharing Discussion Paper

I appreciate the opportunity to provide this submission.

My office and I support the proposed reforms discussed in the *Privacy and Responsible Information Sharing Discussion Paper*. Your paper highlights the importance of legislative reforms that drive safe and streamlined data sharing and is a crucial step in realising the benefits of greater data sharing.

Recognising data is a national asset, the Australian Government has an ambitious agenda to optimise the availability and use of data while enhancing privacy and security safeguards. This agenda implements recommendations by the Productivity Commission in its Data Availability and Use Inquiry to unlock the value of data, including reforms to how data held by Government is managed and used. The work of the Australian Government is aligned with the Western Australian Government's proposal to introduce a whole-of-government framework to govern the way the public sector manages the information it holds.

The Australian Government established the Office of the National Data Commissioner (ONDC) in mid-2018 to design legislation to improve sharing and release of public sector data. Through our extensive consultation, the value of better data sharing between the Commonwealth and States and Territories was a consistent theme. Many stakeholders felt the most challenging research and policy problems span different levels of government and we heard the importance of designing national solutions to national problems. Most stakeholders recognised this as a challenge, but asked for reform in this area as a priority.

As mentioned in your discussion paper, should your legislation be enacted, it is important to ensure it is aligned with other models already used in Australia. Consistency in guidance, standards and approaches will allow public sector agencies, universities and government service partners to align their own policies and practices to streamline data sharing with government agencies. The ONDC will continue to work with States and Territories to build capability and confidence in the national data system as well as consistent and complementary approaches to data sharing. This will take time to come to fruition and we are pleased to work with you to get this right. This consistency will build trust in all levels of governments' use of data.



Australian Government

Office of the National Data Commissioner

The Productivity Commission also identified a culture of risk aversion, lack of skills and limited resources as reasons preventing the public sector realising the maximum benefits of data. Through our consultations, stakeholders from various sectors have continually raised these same concerns. In particular, we heard that cost and resource implications associated with sharing data need to be considered: legislation is only one aspect of creating a robust data sharing framework and a number of factors must come together over time in order to maximise the benefits of greater data sharing.

These are some of the key messages we have heard through our consultation. It is important that WA and the Commonwealth continue this conversation and work together to build a data sharing system that is aligned and ready to support cross-jurisdictional data sharing.

Once again, I appreciate the opportunity to provide this submission as well as the WA Government's participation in our consultation process so far – your input has been invaluable. Please keep us in mind for future consultation and updated on the progression of the legislation. We look forward to continuing to work with you to build a national data system for better and safer data sharing to improve outcomes for all Australians.

Yours sincerely

Deborah Anton
Interim National Data Commissioner