Towards a data ethics program for the ABS: Considering privacy, ethics and trust for our innovative data uses

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Data ethics are important to the ABS

Challenges

- Increasingly innovative data uses
- Cumulative impacts on privacy of large volumes of data and innovations
- Increasing use of AI
- Public expectations about data use
- Increasing security and cyber threats
- Resourcing pressures – need for more transparent data ethics processes and understanding citizen views about data uses

Issues

- Data breaches
- Other government failures negatively impacting public perceptions of data uses
- Lack of social acceptance for some innovative data uses
- Lack of transparency and clear public communications about some initiatives

Context: Privacy, ethics and trust in Australia

Australian Bureau of Statistics

Privacy

Clear legislative requirements

ABS Census and Statistics Act 1905

Privacy Act 1988

Australian Government Agencies Privacy Code

Ethics

Principles and Guidelines

Artificial Intelligence Data Ethics Principles

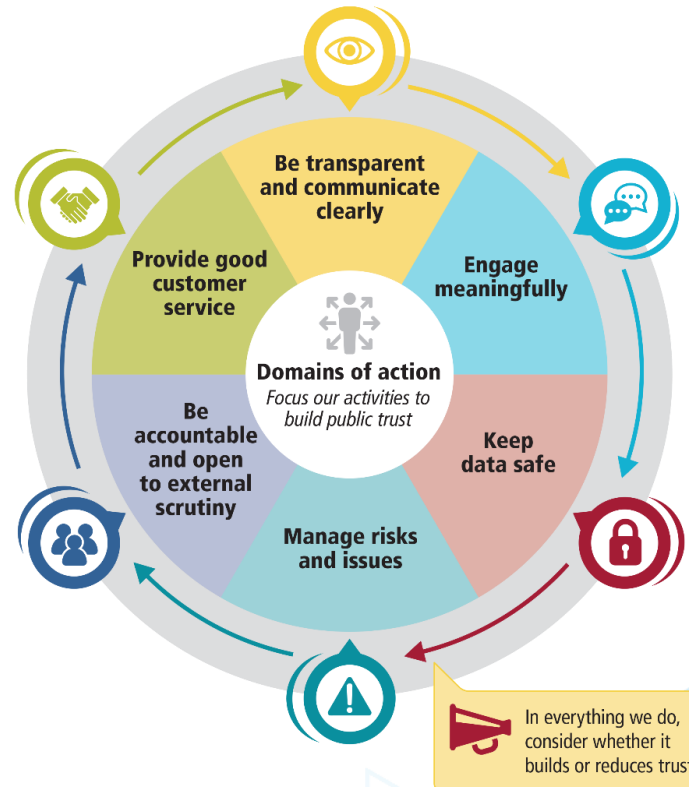National Statement on Ethics – guides human research
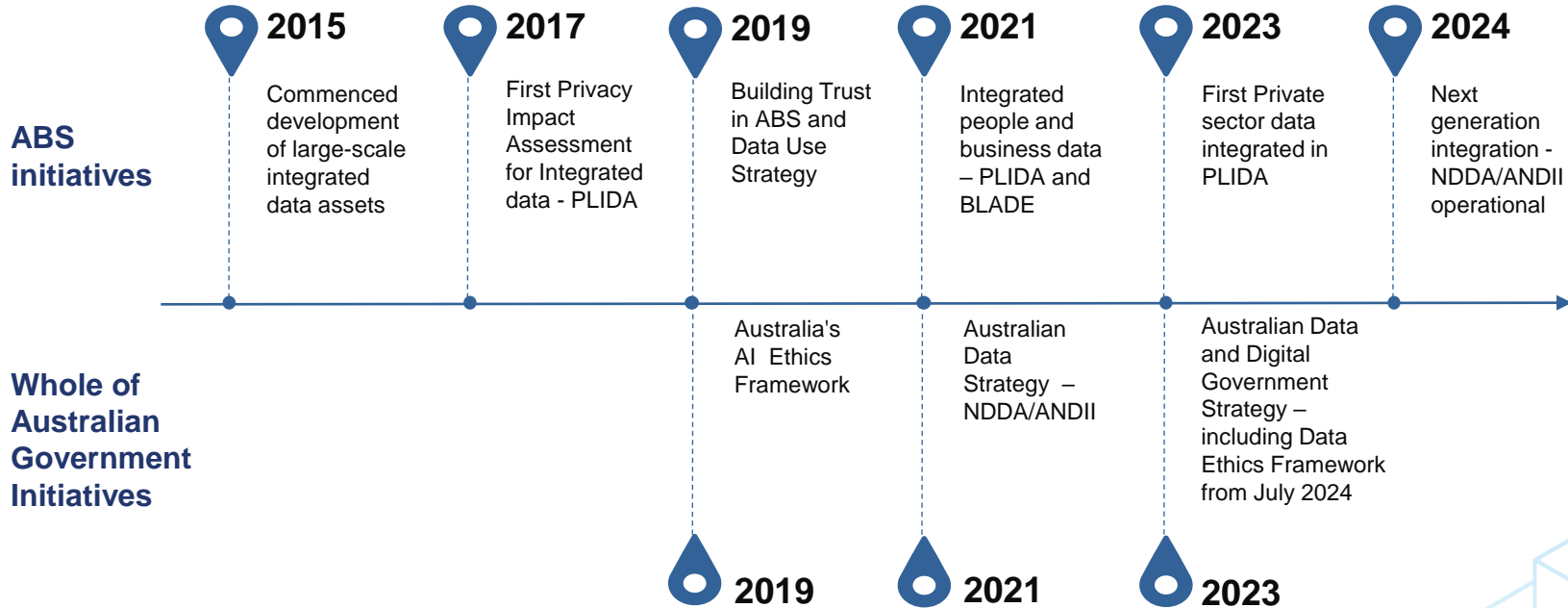
Trust

Guides to actions and behaviours

Building Trust in the ABS and Data Use Strategy

- Understand drivers of public trust

- Work with a whole-of-government perspective

- Take meaningful actions to build trust

Domains of action
Focus our activities to build public trust

Be transparent and communicate clearly

Engage meaningfully

Keep data safe

Manage risks and issues

Be accountable and open to external scrutiny

Provide good customer service

In everything we do, consider whether it builds or reduces trust

Timeline

ABS initiatives

2015
Commenced development of large-scale integrated data assets

2017
First Privacy Impact Assessment for Integrated data - PLIDA

2019
Building Trust in ABS and Data Use Strategy

2021
Integrated people and business data – PLIDA and BLADE

2023
First Private sector data integrated in PLIDA

2024
Next generation integration - NDDA/ANDII operational

Whole of Australian Government Initiatives

2019
Australia's AI Ethics Framework

2021
Australian Data Strategy – NDDA/ANDII

2023
Australian Data and Digital Government Strategy – including Data Ethics Framework from July 2024

PLIDA – Person Level Integrated Data Asset
BLADE – Business Level Analytical Data Environment
NDDA/ANDII – National Disability Data Asset/Australian National Data Integration Infrastructure

Review of ABS privacy, ethics and trust practices

▶ ABS has strong and mature privacy and trust practices, but existing ethics practices were only low to medium in maturity (2023).

▶ Good data ethics practices:

- Foundationally concerned with the question of 'can vs should' for our data uses

- Aid accountability

- Foster responsible innovation

- Include both top-down (strategic) and bottom-up (operational) ethics considerations

- Allow levels of escalation for issues

- Specific to the ABS' needs

- Align with (but do not duplicate) existing governance/ ethics processes

- Effectively navigate the boundary between ethics and privacy

Case Study 1: Use of private sector electricity data for occupancy measures in the Census

The challenge:

▶ Use electricity data (Smartmeter data) at the dwelling level to help identify households that are occupied on Census night

Outcome:

▶ Significant privacy concerns were raised and Smartmeter data was not used at the dwelling level in the 2021 Census

▶ Instead, it was used to derive a predicted count of occupied dwellings at an area level as an input to occupancy models

Key lesson:

▶ Engaging early, with clear information about privacy impact and benefit, could have reduced privacy concerns

Case Study 2: Ethics oversight capability for National Disability Data Asset (NDDA)

The challenge:

▶ Develop the NDDA as a nation-wide, multi-sector linked data asset to help to better understand needs, services delivered and outcomes for people with disability.

▶ Share data using new legislation (Data Availability and Transparency Act 2022) in accordance with the Australian Government Data Sharing Principles.

▶ Establish controls to ensure the data is used appropriately and in consultation with the disability community.

Outcome:

▶ Disability-informed Ethics Oversight Panel to consider projects with the disability community.

▶ NDDA Charter sets out acceptable and unacceptable uses of the NDDA.

▶ Co-governed by governments and the disability community via the NDDA Council. The Council will ensure the NDDA is used correctly and only for purposes that align with the disability community's expectations and the Charter.

Key lesson:

▶ Controls to ensure appropriate uses of data that are in line with population of interest views, are also desirable governance mechanisms for other integrated data assets.

Ethics work program for ABS from 2024-25

Strategic

- Establish Data Ethics Advisory Committee
- Develop Data Ethics Principles and Framework

Operational

- Establish role of Chief Data Ethics Officer
- Develop internal data ethics policy
- Develop internal guidance and training materials
- Combine privacy and ethics assessments/ tools
- Develop new ways to assess citizen views about data uses
- Improve communications (with community)
- Learn from other NSOs

ABS is keen to learn from others

- Questions for discussion about establishing a data ethics program:
  - What are the highest priorities to do first?
  - What mix of skills are required for the data ethics advisory committee?
  - Does the committee assess individual projects or broad types of data use?
  - Possible scope for Data Ethics Framework – national or NSO, relating to people data or broader?
  - Accountability for ethics – Chief Ethics Officer role?
  - What are the best ways of assessing community comfort with innovative data uses?
  - What hits and misses have you had with communications with the public?

Thank you

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