

Public Sector Data Management Review

- The PM&C Review found current legislation may pose **real or perceived barriers** to effective use, sharing, linking and release of public data.
- Attempts to maximise the value of public sector data are potentially being held back due to **outdated understanding of legislation and an overly cautious, low risk tolerance.**



What the Privacy Act covers

- Applies to personal information: information about an identified or reasonably identifiable individual.
- Does not generally apply to de-identified information: **information that is no longer about an identifiable or reasonably identifiable individual.**
- The PM&C Review found this was not widely known or understood across the APS.



De-identification under the Privacy Act

- De-identifying a single dataset within an agency is a 'use' of the information under the Privacy Act.
- This requires consideration of the Privacy Act and in particular Australian Privacy Principle 6, but **is likely to be possible in many cases unless a secrecy provision in another law applies***.
- Linking **multiple datasets *before* de-identification** involves an additional use of the information.
 - This again requires consideration of the Privacy Act and any applicable secrecy provisions.

Privacy regulator's de-identification advice

- Where you have established the need and ability to de-identify information:
 - consider and **choose de-identification techniques**
 - undertake de-identification and **test effectiveness**
 - **assess the risks of re-identification**
 - reassess potential **risk of re-identification over time** as required.

(For more detail, see OAIC resource, De-identification of data and information.)