

1. What is considered to be an appropriate level of Australian ownership for an organisation to be eligible for accreditation?

75% of the company should be owned by Australian residents

2. Should individuals acting on behalf of an Accredited Data Service Provider be accredited individually? If so, what might be appropriate arrangements?

They should be trusted users but the accreditation to become Accredited Data Service Provider includes staff members to be checked, vetted & properly trained. There will need to be a difference between users of Accredited Data Service Provider facilities and professional staff managing these data facilities who will potentially have more access and responsibility than data users.

“To be accredited, Accredited Data Service Providers will need to demonstrate that their employees, or individuals contracted to act on their behalf to handle data, are highly skilled and appropriately vetted. Responsibility and accountability for ensuring training and vetting processes will rest with the Accredited Data Service Provider.”

3. Are there circumstances when it should be mandatory to use an Accredited Data Service Provider for a data sharing project?

yes

4. What would those circumstances be?

When the five safes mechanism deems the data of high sensitive nature and controls required need the level of an accredited Data Service Provider.

Specifically, when individual identifiable row level data is linked to create newly combined datasets.

5. Are there elements of data capability that should be given more or less weight in the accreditation process, i.e. making elements mandatory or optional?

Over emphasis on earlier experiences risk creating inequitable access to data.

Ideally when accreditation fails, feedback is provided so the intuition/entity can improve on the shortfalls and re-apply for accreditation when the shortfalls have been resolved. Security, privacy controls required should outweigh prior experience which should be optional to ensure equitable access.

6. What elements would be most useful to Data Custodians to support their decision-making process when considering sharing and access to data?

Intent, purpose and reputation of the intuition/entity requesting access to data. This is a tricky balance as it creates inequitable access to data if there is too much reliance on reputation and existing relationships. The emphasis should be on capability, documented processes & policies of data management within the accredited entity.

A list of data sharing request made per accredited users and number of data request granted would be interesting for data custodians. Reliance on a successful requests percentage by Data Custodians could dissuade users from attempting to access more highly sensitive data to preserve their 'rating', creating more inequitable access. Likewise a low approval percentage from a Data Custodian could dissuade users from attempting to access their data and targeting 'easier fish to fry'. Although I agree for transparency's sake Data Custodians and Data Users should be privy to this data and hopefully decisions will be made on merit - not quick numbers.

7. Should the accreditation process recognise other frameworks, standards or processes that have assessed an element of data capability? If so what standards/processes might be appropriate to recognise?

In cases where the data sharing purpose is for research and development to advance knowledge and contribute to society. Any result or aggregated open data outcome of such project should meet the principles of FAIR data: findability, accessibility, interoperability, and reusability.

8. Are there any elements of data capability that should be captured in order to understand an accredited entity's ability to keep data safe?

There is strong emphasis on doing a check and clear without much mentioning of ongoing check & support. Accreditation should be a commitment from any entity to ensure the accredited entity keeps up with the latest technological developments to ensure it People and Setting are kept contemporary.

9. What is a reasonable period of time to assess an application?

Accreditation of the institution/entity: 3 months

Accreditation of users: 1 month

Accredited Data Service Provider: 6 months

10. Are there further ways we can streamline the accreditation process?

Potentially create additional accreditation service providers - outsource to accredited data providers?

Ideally accreditation of individuals that move from 1 accredited service provider to the next can keep their accreditation or at least have a lighter accreditation pathway.

Many universities work in collaborative grants & projects. Ideally a trusted accredited researchers that has been endorsed and accredited by his trusted organisations can use his accreditation to perform research on data entrusted to another trusted organisations under the same individual trusted researchers accreditation.

11. Do the timeframes to renew accreditation, every 5 years for Accredited Data Service Providers and every 3 years for Accredited Users, seem reasonable?

Yes, but a better mechanism to ensure tech & people are kept apprised of best practices in the use of data would be ideal.

12. Is it appropriate to notify parties to Data Sharing Agreements of an accredited entity's suspension?

Yes, this will improve trust between data custodians and data users. Trust is what has been highlighted as the main limiting factor of data sharing, the initial productivity commission inquiry. Notification of suspensions would be critical to ensure trust in the data commissioner and the process.

13. Is there any information that must, or must not, be made publicly available through the registers of accredited entities?

Data sharing agreements should be published and shared with accredited entities. Number of data sharing application and success rate per data custodian should be made available.

14. Is there any information that should be made available to Data Custodians through the registers of accredited entities?

Number of data sharing application made per trusted user/entity and success rate should be made available

15. Is charging a fee for accreditation, such as a renewal fee, reasonable?

A fee charged when promised timelines are kept is reasonable. Charging for accreditation that takes twice as long as detailed would be unreasonable. Make the fee dependent on the efficiency of the accreditation timelines.

For transparency sake the ONDC can provide details on income from fees and their expenditure to deliver the framework so we can see whether it's cost recovery or revenue raising.