



# ABS Response

## 2026 Census (Phase 3) Privacy Impact Assessment

August 2025



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## Introduction

Privacy considerations are integral to all aspects of the Census. The *Census Privacy Strategy: 2021 to 2028* outlines how privacy will be considered at every Census stage. This strategy will help us build and maintain community confidence that the measures we use to protect privacy are comprehensive and effective. The Strategy includes a strong commitment to risk management, comprehensive stakeholder engagement, and public consultation.

The Strategy spans from the 2021 Census through to the start of the 2031 Census to ensure privacy impact assessments (PIAs) are coordinated and integrated with the design and development across the Census cycle. The development of this strategy was in line with Structural Recommendation 1 from the [2021 Census Privacy Impact Assessment](#) conducted prior to the 2021 Census: The ABS should develop and implement a 7-8 year Census Privacy Strategy that covers more than one Census.

The Strategy has four goals to enable the ABS to ensure privacy obligations are met and information is collected and used consistent with community expectations:

1. **Design:** Embed a culture of privacy that promotes and enables best practice.
2. **Engage:** Open and transparent engagement, consultation, and communication.
3. **Safeguard:** Robust practices, procedures, and systems to ensure continued effectiveness.
4. **Maintain:** Evaluation of privacy practices, procedures, and systems for ongoing improvement.

During the 2021 Census program, the ABS undertook two PIAs: the 2021 Census PIA and the 2021 Census Administrative Data PIA. Both were published on 21 July 2020, along with the ABS' response to the recommendations. The 2021 Census PIAs provide a baseline for the 2026 Census PIA.

The ABS undertook a phased approach to the PIA for the 2026 Census. The phased approach provided the opportunity for recommendations from early phases to be adopted in the design and build of the Census, and to be evaluated in the final phase.

The [2026 Census PIA](#) consisted of three phases:

- Phase 1: Preparation, Planning and Development (2023) (PIA and ABS Response, Published February 2024)
- Phase 2: Build & Design (2024) (Completed November 2024)
- Phase 3: Testing operational readiness (Completed August 2025)

Phase 3 of the 2026 Census PIA was conducted between March and August 2025. The ABS contracted external consultants, IIS Partners, to conduct the PIA. The ABS has provided a response to the recommendations from the report below.

### **Recommendation 1:** Ensure consistent ethics arrangements for any DATA Scheme projects involving Census data sharing

1.1 Consider adapting the forthcoming PLIDA Ethics Framework for use in DATA Scheme data sharing also. The purpose of this recommendation is to encourage a consistent, rigorous and systematic approach to ethics consideration at the ABS as it applies to data release and data sharing projects. Note that this is a best practice recommendation – analysis conducted in this PIA indicated that the ABS has arrangements in place that would allow it to meet DAT Act ethics requirements on a case-by-case basis.

1.2 Require senior endorsement of a decision to proceed with data sharing for a DATA Scheme project for which no ethics process has taken place. ‘Senior endorsement’ means endorsement by an appropriately senior employee of the ABS. Ensure internal policies and procedures document the position of the senior employee who must endorse the decision.

The DAT Act permits no ethics process in some circumstances. The purpose of this recommendation is to ensure that a decision to go ahead with a DATA Scheme project that has not been subject to ethics consideration is subject to appropriate assurance and oversight at a senior level of the agency.

#### **Response:** Agreed

The ABS will ensure the 2026 Census Privacy Collection Notice and Census Privacy Statement includes information about the potential future use of Census data under the DATA Scheme. A whole-of-government [Data Ethics Framework](#) has been developed as part of the Data and Digital Government Strategy, and the ABS is adapting the framework to incorporate international statistical ethics approaches to create a set of tailored Data Ethics Principles. These principles will guide future ethical considerations of any future Census data sharing under the DATA Scheme.

### **Recommendation 2:** Ensure careful management of AI-related risks associated with any Census data sharing

2.1 Update relevant internal policies and procedures to ensure AI-related risks and controls are identified and addressed in relation to Census data sharing (including, but not limited to, sharing under the DATA Scheme). AI-related risks may include a heightened risk of re-identification, unintended secondary use or disclosure (including disclosure to third party systems or systems outside Australia), and/or negative publicity.

In addressing this recommendation, the ABS could consider making assessment of AI-related risk a standing item in the Risk Benefit Analysis Framework template and/or the PTA template. For the avoidance of doubt, this recommendation does not intend to prohibit appropriate use of AI technology in connection with Census data sharing. In this recommendation, AI includes Machine Learning (ML) and Large Language Models (LLMs). It goes to compliance with APP 11.1 and taking reasonable steps to safeguard personal information.

#### **Response:** Agreed

The ABS internal data sharing infrastructure doesn't currently provide access to AI tools. The ABS monitors emerging challenges of AI-related risks associated with data sharing, regularly updating policies and procedures in response to emerging issues. The ABS has published information about its use of AI and related technologies on the [ABS website](#). The ABS will regularly update published information about the privacy, security and assurance arrangements in place for its AI use.

ABS Census Data Custodians will perform appropriate due diligence when considering any future requests to share data through the DATA scheme or other arrangements. The ABS will continue to ensure that AI-related risks, such as any potential for enhanced reidentification risks, will be actively considered at the time that any project proposal that involves sharing Census data is being considered by the ABS. The ABS applies robust confidentiality methods to ensure data protection in statistical outputs. The ABS is proactively researching and developing new confidentiality methods to further improve protection of data with a focus on AI related risks.

**Recommendation 3:** Work with administrative data custodians so that initial collection notices make clear disclosure of data to the ABS

3.1 Work with administrative data custodians to encourage them to review and update (as reasonable in the circumstances) data custodian relevant collection notices to make clear the disclosure of data to the ABS. This will be particularly important in relation to data custodians from whom the ABS has not previously collected administrative data where notice arrangements may not already be in place. The purpose of this recommendation is to meet the requirements of APP 5 to take reasonable steps to make individuals aware of the collection of personal information by the ABS.

### Response: Agreed

The ABS is committed to openness and transparency in the ways it will use administrative data for the 2026 Census. The ABS has a leadership role in maximising the use of public data for statistical and research purposes and will continue to work closely with data custodians for any administrative data that will be used for the 2026 Census to ensure there is sufficient openness and transparency.

**Recommendation 4:** Publicly address questions about administrative data use and disclosure (including clarity around restrictions on disclosure to the National Archives of Australia and restrictions on use for enforcement)

4.1 Clarify (in the 2026 Census privacy notice and/or other relevant communications material about administrative data use in the Census) whether administrative data about an individual is released to the National Archives of Australia in the event that the individual opts to allow their Census form to be made public after 99 years. The purpose of this recommendation is to ensure transparency about how Census data (including administrative data) is used, disclosed and published.

4.2 Make clear (in the 2026 Census privacy notice and/or other relevant communications material about administrative data use in the Census) that the ABS do not use administrative data for enforcement or compliance activities. Clarifying information may be particularly important for income-related administrative data.

### Response: Agreed

The ABS will provide transparency and clarification about the use and release of administrative data on the Census and ABS websites via articles, the [ABS Privacy Policy for Statistical Information](#), the 2026 Census Privacy Collection Notice and the 2026 Census Privacy Statement, noting that the

administrative data cannot be used for the purposes of enforcement or compliance activities. Administrative data in some instances is also published through the [Statistical Collections Tabled in Parliament](#) web page. The ABS website outlines that its integrated data projects are only conducted for statistical and research purposes (not for compliance, monitoring or enforcement purposes). Refer to [Keeping integrated data safe | Australian Bureau of Statistics](#) for PLIDA for further information.

Administrative data will not be provided to the National Archives of Australia as part of voluntary retention of Census information for 99 years. This commitment will be proactively communicated through a range of Census channels, including:

- The Census website
- Stakeholder outreach via intermediaries
- This exclusion will be clearly stated in public-facing materials, including the Census Privacy Statement and the Statistical Collection Notice, to ensure transparency and public trust.

### **Recommendation 5:** Ensure communications materials and scripts address key questions about use of a separate Census form

#### 5.1 Develop consistent messaging on the following matters:

- How an individual can access a separate form.
- Whether an individual must inform others in their household that they are filling out a separate form.
- Whether it is allowable for an individual to fill out a separate form knowing their information will also be included in a household form.
- Whether an individual will 'get in trouble' if information about them supplied in the household form is inaccurate or inconsistent with information in the separate form.
- Which form takes precedence during ABS reconciliation processes (i.e. if an individual's information isn't included both in a household form and a separate form, which set of statistical information is recorded for the individual).

5.2 Deploy consistent messaging about the option of separate Census forms in Census communications materials and Contact Centre scripts. Information about this option should be easy to find and not hidden or obscure. In determining the most appropriate forms of communication and outreach, take account of:

- Possible sensitivities and privacy risks of aligning the option of separate forms with the introduction to the Census of questions about gender and sexual orientation. (The ABS could consider consulting LGBTIQ+ groups on this issue.)
- Possible data processing and data quality challenges associated with possible high uptake of separate forms (including ensuring households fill out at least one household form rather than multiple personal forms).

### **Response: Agreed**

The ABS will develop consistent communications materials to support separate form use in households accounting for possible sensitivities and privacy risks including:

- Frequently asked question scripts
- Contact Centre scripts and supporting materials
- Information about ABS reconciliation processes of multiple forms published on the ABS website.

### **Recommendation 6:** Ensure strong assurance of vendor privacy and security compliance

#### 6.1 Ensure that, in updating the Contract Management Framework:

- There is a mechanism requiring written confirmation by the Contract Manager of the proactive checks made of contractor (and subcontractor) privacy and security compliance for Managed and Fully Managed Contracts.
- There is a mechanism requiring written confirmation by the Contract Manager or Contract Administrator that required security certifications, assessments or audit reports have been provided by the contractor and checked during onboarding or as appropriate.

ABS has a number of vendor management arrangements in place. The purpose of this recommendation is to close any possible gap between intention and action by ensuring contract management policies and procedures (requiring monitoring and risk management) are being followed in practice. Strong assurance of vendor privacy and security compliance will be particularly important for 'Fully Managed' contracts involving handling of Census data or other personal information.

6.2 Review the effectiveness of the 2026 Census Register of Third-Party Agreements with a view to improving its operation and impact. In making improvements, the ABS could consider adjusting how it is used or filled out by Census teams; moving it to a different stage in the procurement process; or combining it with another governance mechanism to improve its operation.

#### **Response: Agreed**

The ABS Contract Management Framework complies with whole-of government contracting arrangements and legislated requirements. The updated ABS Contract Management Framework has undergone a significant review and includes written mechanisms that confirm privacy and security compliance. The ABS will ensure effective implementation of the Framework through enhanced information management, training and review.