Paper Title: Disclosure Review Board - Terms of Reference

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Purpose of the paper

This paper describes proposed terms of reference for the Disclosure Review Board.

Background/Context/Known Facts

At the 2011 May Management Meeting, confidentiality was identified as an enterprise risk. As part of a strategy to mitigate disclosure risks for aggregate statistics, SMG agreed to the establishment of a Disclosure Review Board. The Disclosure Review Board replaced the Microdata Review Panel with the extended role to include aggregated statistics.

Consultation undertaken in preparing this paper

The proposed membership and modus operandi have been discussed with members of the Disclosure Review Board.

Terms of Reference of the Disclosure Review Board

Background

1. At the Management Meeting in May 2011, confidentiality was identified as an enterprise risk. SMG discussed a strategy for improving confidentiality capability for aggregate statistics in July 2011. Methodology was asked to develop a proposal to establish a Disclosure Review Board (DRB), which extended the role of the Microdata Review Panel (MDRP). The DRB replaced the Microdata Review Panel in February 2012.

2. The DRB retained the MDRP's role of providing advice on the disclosure risks associated with microdata dissemination. The consideration by DRB on the risks associated with releasing aggregate statistics is predominantly on an exceptional basis, i.e. individual delegates responsible for approving the publication may seek DRB's advice where there are issues not adequately covered by existing policies. As well, the DRB may initiate investigations where the board has identified specific systemic or complex issues of concern.

3. In April 2015 the General Manager TableBuilder approval criteria was implemented. TableBuilder releases which met the criteria are now approved by the respective General Manager and are no longer required to be considered by DRB.

4. As a result of organisational restructure, DRB membership was reviewed in July 2015.

5. This paper describes the role, membership and procedures for the DRB.

Role

6. The DRB chair is responsible for advising the Australian Statistician and delegates on the risks of an individual person or organisation being identified in statistical information disseminated by the ABS, and the approach to mitigating the risks, so that ABS products are released in a manner that complies with legislation and policies relating to confidentiality and disclosure. It is the role of the DRB members to provide advice to the chair to assist in final decision making.

Membership

7. The Board will comprise the following members:

General Manager, Methodology Division (chair)
Program Manager, Communications and Dissemination Branch
Program Manager, Macroeconomic Division
Program Manager, Methodology Transformation Branch
Program Manager, Industry Division
Program Manager, Population and Social Statistics Division
Director, Strategic Projects and Partnerships Division
Director, Policy, Legislation and Assurance Section.

8. The Director of the Data Integration, Access and Confidentiality Methodology Unit (DIACMU) will be an advisor to the DRB.

9. Secretariat support will be provided by the Customised and Microdata Delivery (CAMD) section.

Modus Operandi

10.   Scope for Microdata: ABS Policy requires all proposed microdata releases to be considered by the DRB. The DRB may initiate investigations into particular outputs where particular interests or concerns arise.

11.   Scope for Aggregate Data: For aggregate statistics, the delegate and related staff releasing statistical output may approach the DRB for advice. This normally occurs when they consider that the release involves complex issues not adequately covered by established policies. The line management for each business area will continue to be responsible for ensuring that outputs from that area are released appropriately, and should provide guidance to their areas about which outputs should be considered for discussion by the DRB. The DRB may initiate investigations into particular outputs where particular interests or concerns arise.

12.   A subset of TableBuilder products (those which do not meet the General Manager approval criteria), must be considered by the DRB. DRB provides advice to the Australian Statistician and delegates for the respective output of the TableBuilder product.

13.   Delegations: For aggregate statistics, the Statistician has delegated the power to publish results or abstracts from compilations or analyses (including TableBuilder) to respective officers. The Statistician is himself responsible for approving the release of microdata. DRB advises the Australian Statistician and delegates for the respective output ███████████████████████████████████████ All delegates have the responsibility of ensuring that the confidentiality requirements of the Census and Statistics Act are met in all releases of data.

14.   Submission: Guidelines for submissions to the DRB will be developed and announced jointly by the DRB Secretariat and Data Integration, Access and Confidentiality Methodology Unit (DIACMU). The DRB Secretariat will provide information and advice about the role of the DRB, and will also provide administrative support to business areas who are lodging submissions to the DRB. Coordination of assessment work required for obtaining advice from DRB will be undertaken by the DRB Secretariat for microdata and TableBuilder, and by DIACMU for all other aggregate statistics. Proposing areas will be required to work with the DRB Secretariat for microdata and TableBuilder and DIACMU for aggregate data to undertake the assessment work.

15.   Submission of proposals for review of release of aggregate statistics should be made only at the Director level with SES endorsement. Proposals must go via the DRB Secretariat to the DRB. The DRB steers the assessment of disclosure risks associated with the proposed output and the manner in which they will be released, and advises the delegates on acceptability of the risks and appropriate measures to mitigate the risks.

16.   Continuous Improvement: The DRB will regularly review the procedures for assessing disclosure risks and tools for risk mitigation, and will commission work to develop or improve the procedures. DRB will support Microdata Futures and Policy Legislation and Assurance with their work on the future directions of microdata. Where appropriate DRB will actively seek to influence ABS policy regarding micro and aggregate data. DRB will champion the extension of ABS staff's skills and knowledge of confidentiality policies and practice, through appropriate training and provision of self help materials.

17.   Frequency of meetings: The DRB will meet monthly, although some issues may be discussed out of session.
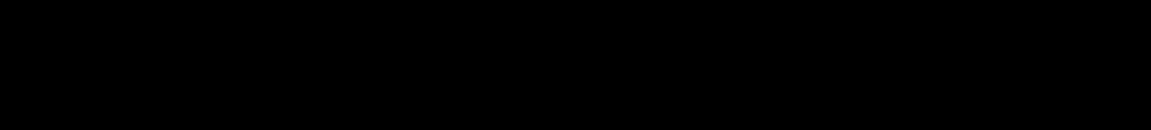
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SUBMISSION PROPOSAL FOR CONFIDENTIALISED UNIT RECORD FILES

IMPORTANT INFORMATION

Overview diagram of the CURF process:

Read the following documents before completing this submission proposal:

SECTION A - SUMMARY AND BACKGROUND

If you have any questions about this proposal contact Microdata Access Strategies (MAS) ▮

Survey title (including reference year)	
Proposed CURF Title ▮	
Branch	
Section	
Contact Person Name /Phone	
Survey area Director	
Survey area FAS	

A1. CURF Format: (tick all that apply)

Discuss with MAS if unsure

- ❑ Basic CURF
- ❑ Expanded CURF
- ❑ Clause 7A release (release of a microdata file to an individual organisation) - link to policy and legislation section 10-12 ▮
- ❑ Other, specify:

A2. What are the other methods of release planned for data from this survey ? (tick all that apply):

- ❑ TableBuilder
- ❑ ABS.Stat
- ❑ Information consultancies
- ❑ Other, specify in the box below

A3. Is this a repeat CURF ? (Repeat CURFs are CURFs released from the same collection series for a new reference period.)

- ❑ No
- ❑ Yes

A4. Is this a new edition / reissue (tick all that apply)

- ❑ No (this is a new CURF release, the data has not been released previously)
- ❑ Reissue due to data errors on previously approved file
- ❑ New edition including previously unreleased data

The date the original file was released on the web: | dd/mm/yyyy |

A5. Administrative data used in CURF product .

If administrative data is being used on your CURF product, have you sought permission from the data custodians?

- ❑ No
- ❑ Yes
- ❑ N/A - no administrative data on the CURF

CURF BACKGROUND

A6. Topic description :

Core issues to be included in topic description:
- ● sample size, sampling method and scope (inclusion and exclusion)
- ● type of selection and reporting unit
- ● planned structure of file including levels (include a diagram if possible)

For CURFs with previously released editions or earlier reference periods , the following issues must be included in topic description:
- ● populations changes from previous CURF
- ● new and changed data items in proposed CURF in comparison to data items in previous CURF
- ● any other changes from previous CURF that may contribute to confidentiality risk
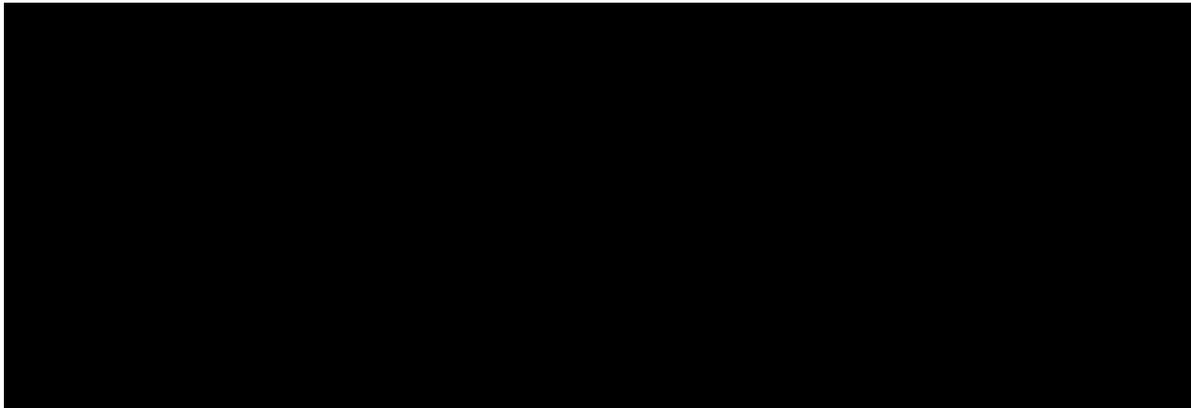
SECTION B - DATA ITEMS

B1. DATA ITEM LISTING
Detailed data item list which needs to include:
- full details of all proposed data item categorisation, including ranges and top coding. This must be the CURF (not the MURF) data items
- concordance between Basic and Expanded CURFs (if applicable)
- concordance between current and previous CURF releases (if applicable)
- any data item categories that depart from CURF standards

The information needs to be provided in accordance with specifications outlined in the Data Items Listing Checklist.

Include doclink to detailed data item list

B2. ONE WAY FREQUENCIES
Provide one-way frequencies and list failed frequencies (only). This information should be provided using the 'One way frequencies report - template',

Include doclink to One way frequencies report

B3. ADHERENCE TO CURF STANDARDS
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  .
- Departures from Standards should provide adequate justification for the DRB as specified in

B3.1. Which sets of standards do you propose to apply to this CURF ?

- ❏ Basic CURF income, labour, education surveys
- ❏ Basic CURF other social surveys
- ❏ Expanded CURF general standards
- ❏ Expanded CURF indigenous standards
- ❏ Other; details in the box below:

B3.2. Will there be any departure from the CURF standards for any proposed data items ?

- ❏ No
- ❏ Yes; details provided in the box below:

Data item	CURF standard

SECTION C - SAMPLING INFORMATION

Note: This section is business collection specific, proceed to Section D for all other collections.

For business collections ██ To assist the assessment of the CURF, you must provide information on whether there is a completely enumerated sector of the sample to be included on the CURF and what are the criteria to completely enumerate a sector. Units in the completely enumerated sector are more likely to require to be confidentialised.

C1.   **Is any part of the population completely enumerated ?**

     ❑   No

     ❑   Yes; details provided in the box below:

     [ ]

C2.   **What are the selection and reporting units for this collection ?**

     ❑   No

     ❑   Yes; data item listed in the box below:

     [ ]

SECTION D - GEOGRAPHIC INFORMATION

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D1 Please list all geographic data items to be released on the CURF . (If no geographic variables, go to Section E)

Data item name	Data item categories	CURF standard

In addition to explicit geographic identifiers on the CURF, the data items, record identifiers, file structure, or survey weights may provide additional geographic information by inference. Therefore, steps must be taken to avoid inadvertently identifying geographic areas different from the explicit geography on the CURF.

D2 Will the CURF records be listed in a particular sequence ████████████████████████
████████████████████████████

❏ No
❏ Yes; details in the table below:

Sequence CURF records are listed	Steps taken to reduce geographic inference

D3 Are there other data items or combinations of data items on the CURF that may imply geography of residence or business operation ?

Data items other than specific geographic data items may imply geography of residence or business operation. For example, usual mode of travel to work shown as "tram" or "ferry" would suggest a geographic location of Melbourne or Sydney respectively; Mining would implies geography of business.

❏ No
❏ Yes; details in the table below:

Data item name	Steps taken to reduce geographic inference

D4 Is the level at which the sample weights are calculated different from the level of geography on the CURF?

❏ No
❏ Yes; describe steps taken to make sample weight less identifying in box below:

D5 Please list all data items and levels of detail used in the weight calibration process :

Data item name	Level of detail used in weight calibration process

D6 Is there any other sampling information that you think might have geographic significance ?

Sampling information may also provide some geographic indicators. For example, certain weights may distinguish between geographic areas.

❏ No
❏ Yes; describe steps taken to avoid disclosure of geographic indicator in box below:

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SECTION E - ITEMS WITH UNUSUAL RISK OF DISCLOSURE

SPONTANEOUS RECOGNITION

E1. List all survey specific data items (i.e. not specified in the CURF standards) **either singularly or in combination**, considered as a risk for spontaneous recognition, and describe steps taken to minimise the risk of disclosure

Data item name	Steps taken to minimise the risk of disclosure

E2. Are there any data items that will be top and /or bottom coded or have their values expressed as ranges, deciles, quintiles, or percentiles? (Do not need to include CURF standard data items)

❑　No
❑　Yes, details in the table below:

Data item name	Basic CURF ranges, deciles, quintiles, percentiles, top/bottom code* (if applicable)	Expanded CURF ranges, deciles, quintiles, percentiles, top/bottom code* (if applicable)

*NOTE: The data item list should show the collapsed data items as they will appear on the CURF.

E3. Is it possible for any collapsed data item (e.g top coded) to be broken by other data items **or records included on file?** For instance, if number of persons in household is included on CURF, action must be taken to delete any records for household members exceeding the top code limit.

Examples of breaking collapsed data items

❑　No
❑　Yes; details in table below:

Data item name	Proposed action to address issue

E4. (Indigenous CURFs only) Are there any records with Country of Birth and Year of Arrival not in Australia?
❑　No
❑　Yes; **list records or counts** in the box below. These records may need to be masked:

E5. Are there any variables on the file or combinations of variables that could be used as a proxy to create a new variable which has not been included on the file?
❑　No
❑　Yes; **list the variables of concern** in the box below:

INCOME OR OTHER DOLLAR VALUES /FINANCIAL DATA

Particularly high income/sales or significant losses is a visible characteristic of individuals, households or businesses. Therefore income data is considered as sensitive. Consideration should be given to the way in which situations of high (+ or -) income will be shown on the CURF. List matching of exact income value can also be a risk. ██████████████

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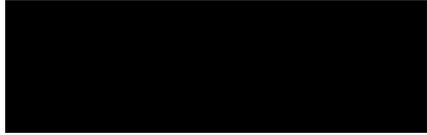
E6. Will the CURF contain income or other dollar value /financial data?

❏   No
❏   Yes; details in the table below:

Data item name	Data item categories

E7. If the CURF contains income or other dollar value /financial data, please describe ways that the extreme situations (+ or -) will be treated:

E8. For basic CURFs which are not income surveys, will equivalised household and /or income unit income be included in addition to personal and /or household income?

❏   Not applicable - expanded CURF or basic/expanded Income survey
❏   No
❏   Yes; **analysis will be required as per instructions** listed in the following document ████████

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SECTION F - MATCHING CURF DATA AGAINST EXTERNAL FILES

F1. Identify any external administrative list , register or data item (s) that could be matched .
Lists previously identified have been recorded in a master list , and any lists identified for this CURF assessment should be added to the List Matching Register. Some previously identified lists may be relevant to your CURF but you should ensure that the information is still current , before including in your submission .

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F2. Have you completed the list matching checking using the List Matching Register ? (This is not required if CURF is being released as an Expanded CURF only)

❏ No
❏ Yes
❏ N/A - Expanded CURF only
All lists identified in the List Matching Register need to be included in question F 3 below, specifying applied treatment or justification as to why treatment is not required . You must also assess the risk of list matching , taking into consideration the factors listed in F 3, such as the motivation of the organisation.

F3. Measures to reduce potential for matching .

Efforts must be made to reduce the potential for CURF data to be matched to external or internal data. Internal data includes other CURFs, as there can be overlaps in records sampled. You should consider:

- the number of data items available for matching purposes, e.g. whether data items available may be deleted or recoded or whether 'noise' (i.e. small amounts of random variation) has been introduced into the data items
- the resources needed to perform the match
- the motivation of organisations to perform the match
- the age of the data collected
- the accessibility, reliability , and completeness of the external and internal file, and
- the sensitivity or uniqueness of the data collected .

Some factors that make matching easier are listed below and information is requested on what are the steps that will be taken before the CURF is released to reduce the matching potential . (NOTE: This information is essential even if you are not aware of any external files that could be used in matching.)

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Proposed CURF includes (select all that apply)	list/dataset/organisation (Include the Data item(s) / subpopulation identified)	Preliminary DRB meeting Risk assessment (risk level before any assessment or treatment)	Final DRB meeting Risk assessment (after treatment)	Treatment applied
❏ sample case selected from a list provided by a source outside the ABS.	Not applicable	❏ Low ❏ Medium ❏ High	❏ Low ❏ Medium ❏ High	

Describe how and by whom sample cases were selected from the list:				
❏ every member of a subpopulation. For example, large employers, high income individuals, doctors, scientists of a specified type, or inmates of certain types of institutions.		❏ Low ❏ Medium ❏ High	❏ Low ❏ Medium ❏ High	
❏ data item(s) that might isolate a small, readily identifiable population. For example, detailed occupation data, or detailed family type, particularly if available in combination with geographic data.		❏ Low ❏ Medium ❏ High	❏ Low ❏ Medium ❏ High	
❏ data item(s) from external source(s) that could serve as a link to external file. For example, energy consumption or cost records from an energy supplier; welfare or social		❏ Low ❏ Medium ❏ High	❏ Low ❏ Medium ❏ High	

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security data from a private or government agency; mortgage details from a lending institution.				
❏ data item(s) that might identify residence in or attendance at a particular type of institution of which there may be only one in an identified area. For example, boarding schools, nursing homes, educational institutions, etc.		❏ Low ❏ Medium ❏ High	❏ Low ❏ Medium ❏ High	
❏ data item(s) frequently used for matching. For example, exact date of birth, sex, and race; or other items that are likely to be identical on both files such as an exact income amount, exact date of entry to Australia.		❏ Low ❏ Medium ❏ High	❏ Low ❏ Medium ❏ High	
❏ other issues that might facilitate list matching		❏ Low ❏ Medium ❏ High	❏ Low ❏ Medium ❏ High	
❏ none of the above	Not Applicable			

SECTION G - MATCHING CURF DATA WITH OTHER CURFS WITH OVERLAPPING SAMPLE

G1. Does the CURF have overlapping sample with other CURFs released or other CURFs which are expected to be released in the future.

❑ No
❑ Yes

Identify where there is overlapping sample with CURFs already released and where there will be overlapping sample with CURFS being released in the future. The DRB timetable includes a list of CURFs released and upcoming. If you have any questions talk to MAS.

G2. Identify all CURFs that have been released or are expected to be released where there is overlapping sample with this CURF .

CURFs already released :

CURFs expected to be released :

G3. Measures to reduce the risk of disclosure should a match occur .

You must reduce the risk associated with CURFs having overlapping sample with other CURFs. Consider:

● what are the match keys between the files, how many data items are available for matching purposes?
● consider the types of files eg Expanded accessed via the RADL or Basic CURFs on CD ROM
● the amount of sample overlap (how many records)
● the extra information a user would gain from matching the CURF files

DRB have an agreed framework for mitigating the disclosure risks. Read through the framework and follow the procedures outlined in part 2 of the document

SECTION H - OTHER ISSUES

IDENTIFICATION OF INDIVIDUALS

Well known or high profile individuals and businesses in the survey sample are more likely to be identifiable, for example, large corporations, politicians or media personalities. ▮▮

▮▮▮▮ Additional measures need to be taken to preserve the confidentiality of these individuals or businesses.

H1. Is it known whether any well known or high profile individuals are in the survey sample ?

❏ No
❏ Yes; **describe measures to preserve the confidentiality of these individuals** in the box below:

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SPECIAL TABULATIONS FROM AN INTERNAL VERSION OF A FILE

Confidentiality problems may arise if special tabulations are made from an internal version of a file such as the MURF, which includes detail omitted from the CURF and are then released to external clients. For example, the tabulations might provide specific geography not included on the CURF cross-tabulated by multiple data items on the file.

There is also a risk that special tabulations could be used in comparison with CURF data, (where different levels of detail or data item categorisation is included on the CURF) to the MURF. Special data request made to information consultancy must be closely monitored to ensure tables cannot be used in conjunction with the CURF to breach confidentiality of respondents through differencing the results from the CURF with the tables.

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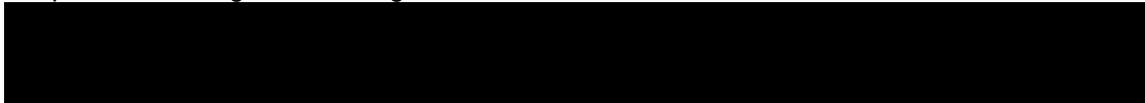
H2. Do you have any concerns about confidentiality problems which may arise if special tabulations are made from the internal main unit record file , which includes detail omitted from the CURF ?

❏ No
❏ Yes; **describe your concern** in the box below:

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H3. Are any restrictions to be placed on future special tabulations as a result of this CURF being released ?

❏ No
❏ Yes; **describe the restriction (s)** in the box below:

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Policy and Legislation : Section 12-09

Header

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Manual Category	Ü **B. Policy and Legislation**	**Final v2010/02** Last Updated: **17 Jan 2014**
Manual ID - No & Title:	Ü **Policy - Policy and Legislation**	
Chapter No. & Title:	Ü 12. Confidentiality and Disclosure	
Section No. & Title:	09. Disclosure of Confidentialised Microdata (Clause 7)	
Subsection No. & Title:		
Document Version:	Ü 2010/02	

Status

Status:	*** **Final** ***
Clearance Authorised:	**Australian Statistician**

Contact Info

NOTE: This policy is currently under review. Some or all of the information contained within this policy may be outdated. For further advice, please contact the data custodian.

DISCLOSURE OF CONFIDENTIALISED MICRODATA - CLAUSE 7 POLICY

KEY POINTS

1   The purpose of Clause 7 of the *Statistics Determination 1983* is to assist and encourage informed decision making, by enabling wider access to ABS data in the form of unidentified individual statistical records (microdata), for research and analysis purposes.

2   Clause 7 allows the Statistician to disclose, for statistical purposes only, a confidentialised microdata or unit record file (CURF), in a manner not likely to enable the identification of the person or organisation to which the record relates.
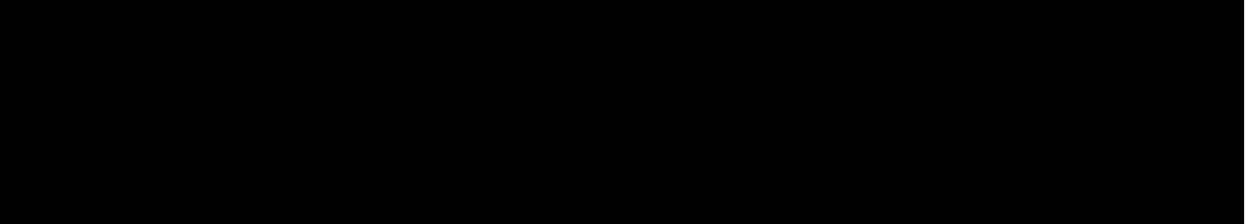
5   Clause 7 of the Statistics Determination is the main means by which microdata can be disclosed. For information about the other limited provisions for the disclosure of microdata, see the Frequently Asked Questions section below.

6   The Statistician must provide his/her approval in writing to release a new CURF under Clause 7.

7   While the release of CURFs has become an expected output for most household surveys, the Statistics Determination is an enabling provision only. Release of information under Clause 7 of the Statistics Determination is at the discretion of the Statistician (and his/her delegate). ████████ ██ ██ ████████████████████████████████████

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POLICY (INCLUDING DELEGATIONS)

9   It is ABS policy that two broad types of CURF can be made available to external users under Clause 7:

   a   Those that are confidentialised to a degree well beyond the requirement that their release is not likely to enable the identification of a person or organisation. These are known as basic CURFs. Basic CURFs are available on CD ROM, and users can therefore access them in their own environment; and

   b   Those which contain finer levels of detail and are confidentialised to a lesser degree, such that additional protections are required to ensure their release is in a manner not likely to enable the identification of a person or organisation (for example, to prevent them being linked with other datasets). These are known as expanded CURFs. Expanded CURFs are accessible only within an ABS controlled environment, such as the secure Remote Access Data Laboratory (RADL), the Remote Execution Environment for Microdata (REEM), and ABS Data Laboratory (ABSDL) environments.

10   It is ABS policy that CURFs will be released from most social surveys, unless there is an expectation of no demand from major clients, or it is not possible to produce a useful file because of confidentiality restrictions.

11   It is ABS policy that CURFs shall not be released before the first publication from the relevant collection has been released.

12   Consistent with our legislation, it is ABS policy that all directly identifying information must be removed from microdata to be released under Clause 7. Such information includes name, address and any other information (such as register numbers issued by other bodies) that identify particular persons or organisations.

13   Once any identifying information is removed, it is ABS policy that microdata to be released under Clause 7 is confidentialised (or modified) to reduce the risk of a person or organisation being identifiable within the resultant CURF. The Disclosure Review Board (DRB) has been established for the purpose of closely examining and assessing this level of risk within CURFs.

14   It is ABS policy that DRB advises and assures the Statistician that the risk of identification is sufficiently low to meet the requirement that disclosure of microdata under Clause 7 is 'in a manner not likely to enable the identification of a a person or organisation'. In doing so, DRB may request that certain actions be undertaken prior to the finalisation of the CURF. It is ABS policy that the relevant subject matter First Assistant Statistician assures the Statistician that the actions requested by the DRB are undertaken.

Approval to create a new CURF suitable for release under Clause 7

15   It is ABS policy that the Statistician must provide written approval for the creation of a new CURF suitable for release under Clause 7. This function has not been delegated. The Statistician must be satisfied that the disclosure is in a manner not likely to enable the identification of a person or organisation. As part of this, the approval must specify the type of release (for example, whether the CURF will be available on CD ROM, RADL/REEM or just the ABSDL).

16   It is ABS policy that all requests for a written approval to create a new CURF suitable for release be submitted to the Statistician through the Audit, Policy and Parliamentary Liaison Section. For a repeat cycle of a survey that has a previously released CURF, approval in principle should be sought no less than 10 working days prior to the planned release of that CURF. However, for new surveys, or those with substantial changes to the nature or content of the material proposed for release, the approval should be submitted no less than 20 working days prior to the planned release of that CURF.

Delegations for releasing approved CURFs to users

18   Once the Statistician has approved a new CURF for release, the actual release of that CURF to users has been delegated (as described below), with the delegate being accountable for ensuring the conditions of the Statistician's written approval for the creation of the CURF, and all other administrative requirements of Clause 7 and this policy are met.

19   It is <u>ABS policy</u> that the release of an approved *basic* CURF to an organisation or individual *within Australia* must be approved by the Director, Microdata Access Strategies Section (MASS), conditional on the signing of an appropriate undertaking (see section on undertakings below).

20   It is <u>ABS policy</u> that the release of an approved *basic* CURF to an organisation or individual *outside Australia* must be approved by the Statistician, conditional on the signing of an appropriate undertaking. A written approval in principle from the Statistician is required prior to seeking the undertaking (see section on undertakings below). For additional considerations about the release of CURFs outside Australia, see the Frequently Asked Questions section below.

21   It is <u>ABS policy</u> that the release of an approved *expanded* CURF to an organisation or individual *within Australia* must be approved by the relevant subject matter First Assistant Statistician, conditional on the signing of an appropriate undertaking (see section on undertakings below).

22   It is <u>ABS policy</u> that the release of an approved *expanded* CURF to an organisation or individual *outside Australia* must be approved by the Statistician, conditional on the signing of an appropriate undertaking. A written approval in principle from the Statistician is required prior to seeking the undertaking (see section on undertakings below). ███████████████████████
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23   It is ABS policy that only the Statistician may approve the release of a basic CURF for inclusion in an international database. In addition, under 3(d)(i) Clause 7 of the 1983 Statistics Determination, the statistician may provide approval in writing for the CURF to be disclosed to their users through the international database without obtaining undertakings from these users. Before seeking the Statistician's approval, the SMA must ensure that three additional conditions have been met:

     a. The SMA has assessed the protocols for accessing the database;
     b. The DRB has reviewed the CURF ██████████████████████████████
         █████████████ and provided their advice accordingly; and
     c. Undertakings from the owner of the international database have been obtained.

24   For additional considerations about the release of CURFs outside Australia, see the Frequently Asked Questions section below.

Undertakings

25   Consistent with the requirements of Clause 7, prior to the release of a CURF to a user, an undertaking must be given by the individual (in the case of an individual) or by a responsible officer (in the case of an organisation) to whom it will be released. Clause 7 specifies that each individual in an organisation signs a relevant undertaking only 'if the Statistician considers it necessary'. This has been the approach in the past, however, it is now ABS policy that an undertaking, given on behalf of an official body or any other organisation, covers all members of that organisation.

26   To be considered a member of a particular organisation, that organisation must take legal responsibility for the member (e.g. students at a particular university are considered members of that university, as the university is legally responsible for the students' use of an approved CURF).

27   It is ABS policy that approval for an organisation to have access to a CURF does not extend to any of their consultants. In these circumstances, the consultant must gain separate approval for access to the CURF.

28   Consistent with the requirements of Clause 7, it is ABS policy that such an undertaking must state that:

   a   No attempt will be made to identify particular persons or organisations to which the information relates;
   b   The information will be used only for statistical purposes; and
   c   The information will not be disclosed to anyone else (or outside the official body/organisation being given access) without the approval in writing of the Statistician.

   These restrictions on disclosure apply to the individual statistical records themselves and not to transformed aggregates derived from those individual statistical records. The production of single cell aggregates for basic CURFs are not in breach of the undertaking as the level of confidentialisation of basic CURFs is such that individual records are not likely to enable identification. ████████████████████████████████
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29   It is ABS policy that for requests involving supply of basic CURFs to international databases, the subject matter area should undertake an assessment of the protocols for storage, and access by individual researchers, in addition to each organisation who has access to the database having to sign an undertaking.

Period of access to a CURF

30   It is ABS policy that there is no renewal process and no fixed period of access for basic CURFs.

31   It is ABS policy that access to an expanded CURF is for a fixed period only, with access renewal required at least annually. Access to the CURF is to be removed if the annual renewal process is not completed.

Charging for access to CURFs

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33   It is ABS policy that secondary distribution arrangements, where disclosure to a third party end-user is arranged at the discretion of an intermediary, are not permitted ██████████ ████████

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LEGISLATION

35   The release of information in the form of unidentified individual statistical records is authorised by Clause 7 of the Statistics Determination:

STATISTICS DETERMINATION 1983 -- Clause 7

Disclosure of unidentified information

(1)   Information in the form of individual statistical records may, with the approval in writing of the Statistician, be disclosed if:

(a)   all identifying information such as name and address has been removed; and

(b)   the information is disclosed in a manner that is not likely to enable the identification of the particular person or organisation to which it relates; and

(c)   the Statistician has been given a relevant undertaking by each person required by subclause (2) to give a relevant undertaking in relation to the information.

(2)   The persons required to give a relevant undertaking are:

(a)   for information to be disclosed to an individual — the individual; and

(b)   for information to be disclosed to an official body:
(i) the responsible Minister in relation to, or a responsible officer of, the official body; and
(ii) if the Statistician considers it necessary in a particular case — each individual in the official body who will have access to the information; and

(c)   for information to be disclosed to an organisation other than an official body:
(i) a responsible officer of the organisation; and
(ii) if the Statistician considers it necessary in a particular case — each individual in the organisation who will have access to the information.

(3)   In this clause: *relevant undertaking*   means an undertaking in writing that use of the information in relation to which the undertaking is given is subject to the following conditions:

(a)   no attempt will be made to identify particular persons or organisations to which the information

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relates;

(b) the information will be used only for statistical purposes;

(c) for information to be disclosed to an individual — the information will not be disclosed to anyone without the approval in writing of the Statistician;

(d) for information to be disclosed to an official body or other organisation:
(i) the information will not be disclosed to anyone outside the body or organisation without the approval in writing of the Statistician; and
(ii) if the Statistician considers it necessary in a particular case — the information will not be disclosed to an individual in the body or organisation who has not given a relevant undertaking;

(e) if the Statistician considers it necessary in a particular case — either or both of the following:
(i) the information, and all copies (if any) of the information, will be returned to the Statistician as soon as the statistical purposes for which it was disclosed have been achieved;
(ii) access by officers to information, documents or premises will be given as may be necessary for the purpose of conducting a compliance audit concerning observance of the conditions under which the information is disclosed;

(f) any other condition that, in the opinion of the Statistician, is reasonably necessary in a particular case.

**BACKGROUND**

36   The Statistics Determination provides for the disclosure, with the approval in writing of the Statistician, of specified classes of information under very restricted conditions, which would not otherwise be legal following the proclamation of the *Census and Statistics Amendment Act (no 2) 1981* on 1 March 1983. The Statistics Determination thus enabled the continuation of a number of long standing practices followed by the ABS in releasing statistics.

37   More information on the background to the Statistics Determination can be found in the Explanatory Statement accompanying the legislation when it was introduced.

38   The ABS includes in its Annual Report a table of releases of new unidentified information approved during the previous year under Clause 7 of the Statistics Determination.

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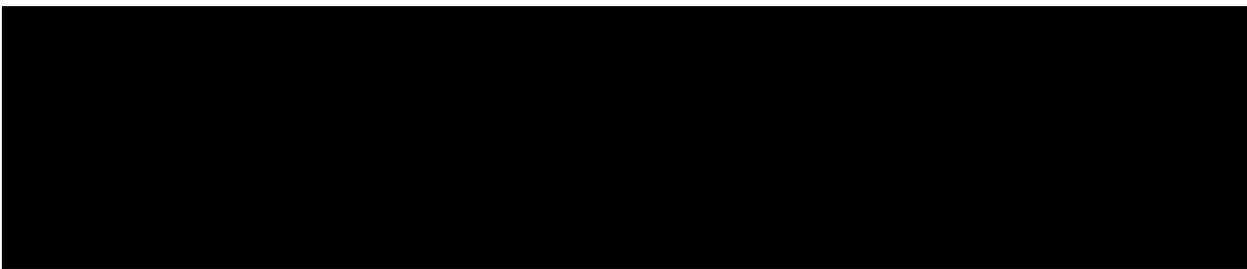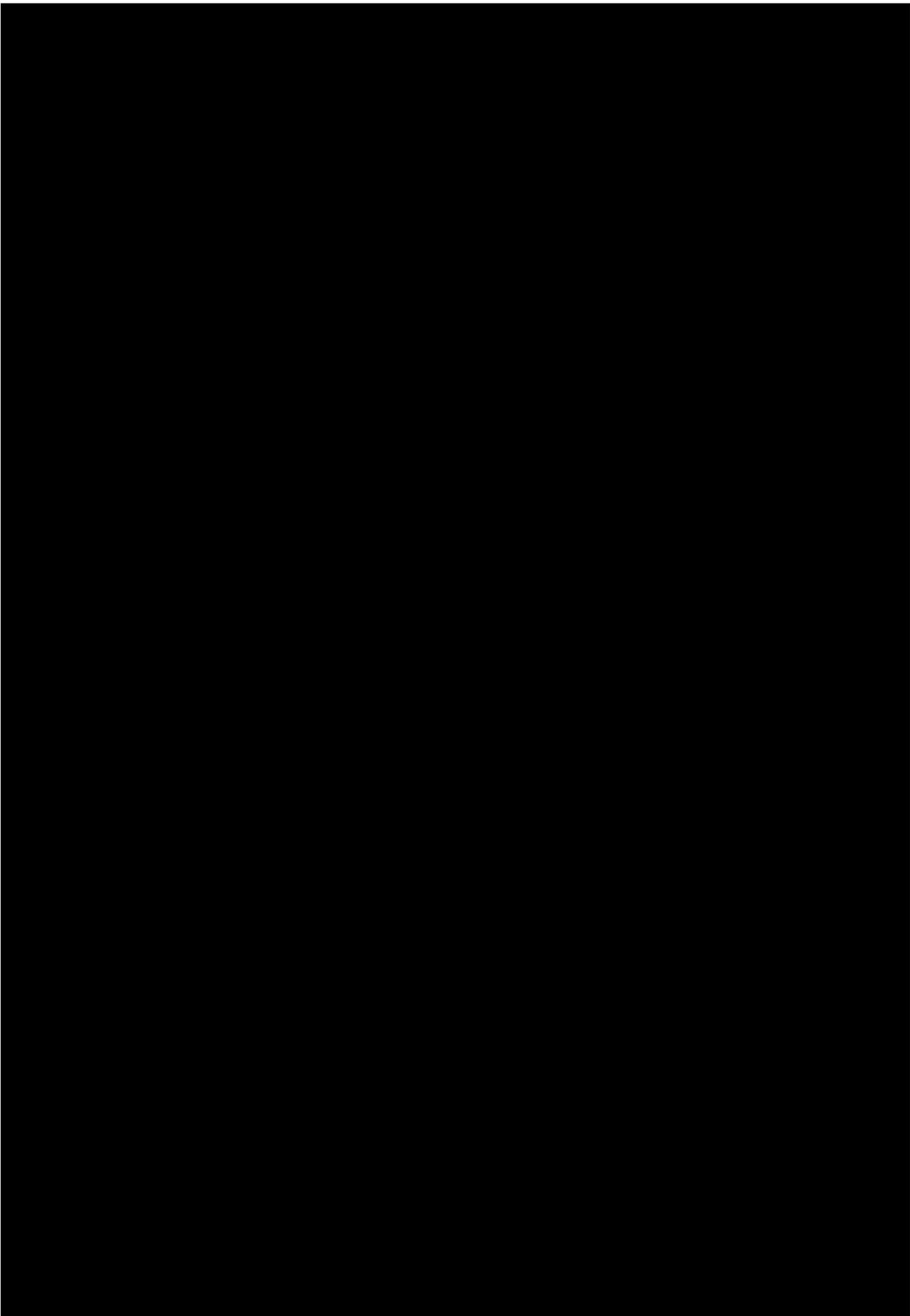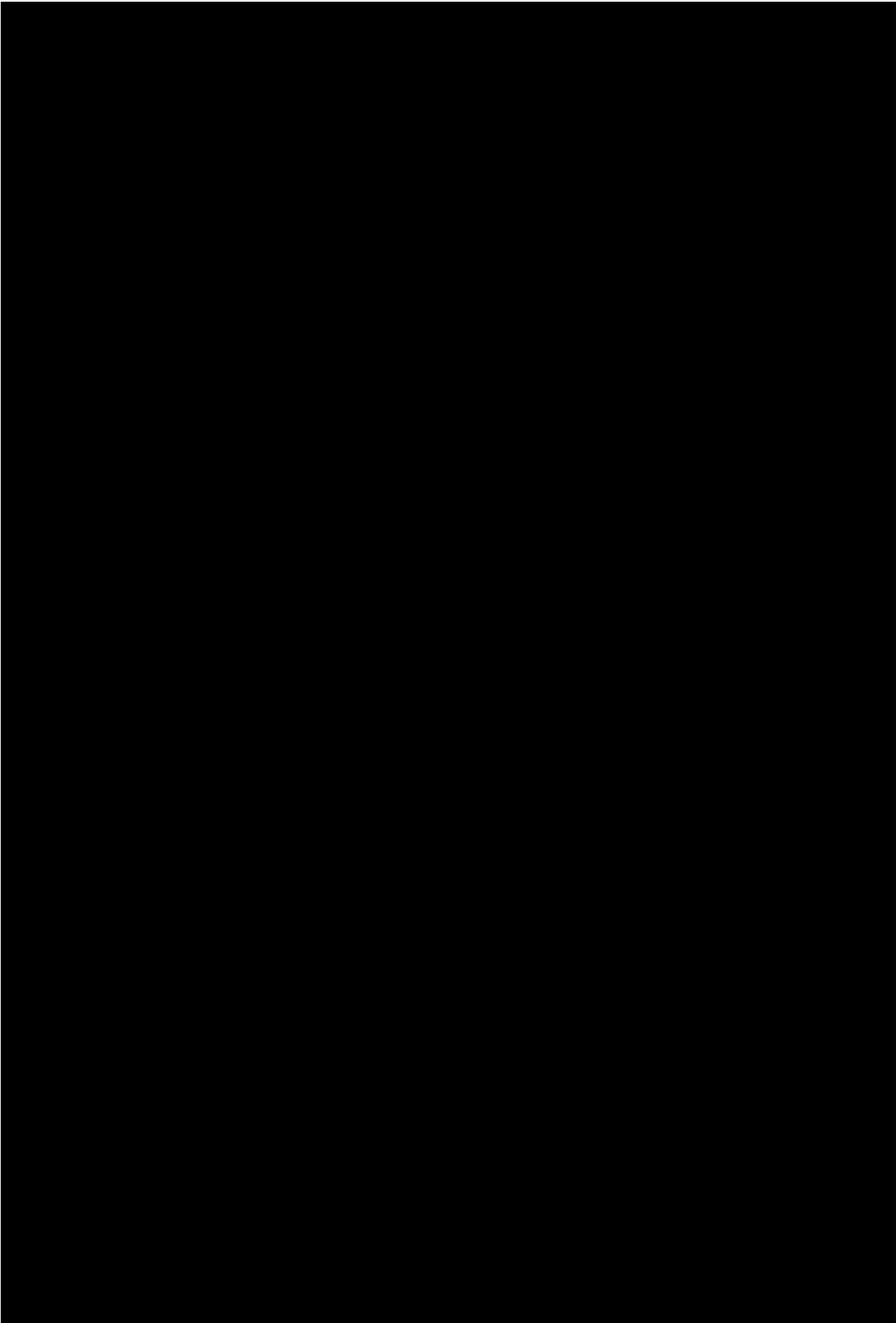
REFERENCES AND RELATED INFORMATION

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52   *Census and Statistics Act 1905*

53   *Statistics Determination 1983*

54   In the first instance, any queries relating to the application of this policy should be discussed with your own line management. Any further queries should then be directed to the Audit, Policy and Parliamentary Liaison Section.

55   If you are having any technical difficulties eg. broken links, please contact the Audit, Policy and Parliamentary Liaison Section.

> **For further information, contact:**
> **Head, Audit, Policy and Parliamentary Liaison**

Policy and Legislation : Section 12-10

Header

Manual Category	Ü **B. Policy and Legislation**	**Final v2010/01** Last Updated: **24 Jun 2016**
Manual ID - No & Title:	Ü **Policy - Policy and Legislation**	
Chapter No. & Title:	Ü 12. Confidentiality and Disclosure	
Section No. & Title:	10. Disclosure of Information to enable the Statistician to perform Relevant Functions (Clause 7A)	
Subsection No. & Title:		
Document Version:	Ü 2010/01	

Status

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Status:	*** **Final** ***
Clearance Authorised:	**Director, Audit, Policy and Parliamentary Liaison**

Contact Info

DISCLOSURE OF INFORMATION TO ENABLE THE STATISTICIAN TO PERFORM RELEVANT FUNCTIONS (CLAUSE 7A)

KEY POINTS

1   Clause 7A of the *Statistics Determination 1983* allows the ABS to contract out work which requires access to limited confidential information (as defined under the *Census and Statistics Act 1905*). The use of external resources must only occur for work that is not possible or practicable to undertake internally.

2   Under Clause 7A, identifiable information relating to an organisation or business may be disclosed. However, ABS policy limits the disclosure of this identifiable information predominantly to business names and addresses that are essential for the ABS to undertake routine processing functions (see paragraph 11 below).

3   Information about a person, family, household etc of a personal or domestic nature may be disclosed, but it <u>must</u> be confidentialised.
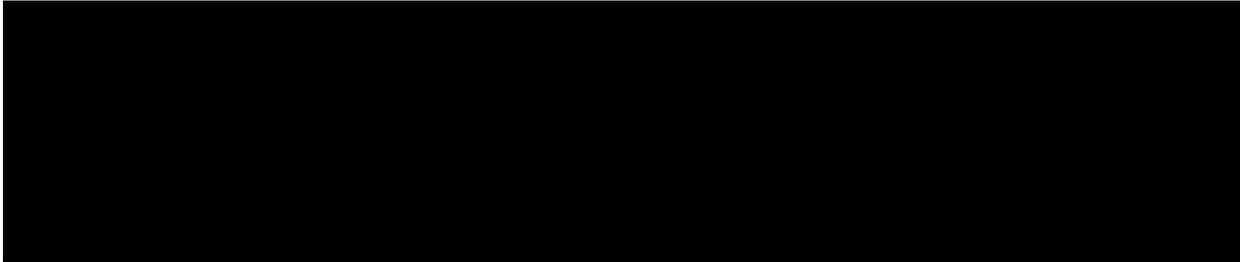
POLICY (INCLUDING DELEGATIONS)

5   It is ABS policy that any disclosure of information under Clause 7A must enable the ABS to make use of external expertise or resources to undertake work *within its legislated functions* that is either not possible or not practicable to undertake within the ABS's own resources. This includes the involvement of contractors in routine processing functions such as despatch of questionnaires and reminders. Such work may also include research requiring the use of highly specific analytical skills which do not exist, and are not required on an ongoing basis, within the ABS. Some recent examples of disclosure under Clause 7A are included in Frequently Asked Questions below.

6   It is ABS policy that work approved under Clause 7A must directly assist the conduct of work in the forward work program.

7   It is ABS policy that Clause 7A cannot be used for peer review of ABS data or to facilitate pre-embargo access to ABS data by a paying client.

8   It is ABS policy that disclosure of information under Clause 7A will only be approved when it is assessed as being the only viable means of assisting the Statistician to perform specific statistical functions. Alternatives can be assessed as being not viable on grounds such as cost effectiveness, timeliness, lack of ABS resources or lack of ABS expertise (where this expertise is not required on an ongoing basis within the ABS).

9   It is ABS policy that all approvals for disclosure under Clause 7A must have an expiry date, with renewal taking place at least annually. Note that a single approval may be given for a series of disclosures of information under Clause 7A for a nominated person or organisation (including contractors) to undertake related specified activities over a defined period of time. In these cases, the wording of the approval and the undertaking must satisfy all legislative and policy requirements, and each disclosure must be clearly specified (e.g. regular mail outs of ABS forms for a particular quarterly survey, for up to a year).

11   Under Clause 7A, identifiable information relating to an organisation or business may be disclosed. However, it is ABS policy that disclosure of identifiable information is limited predominantly to business names and addresses that are essential for the ABS to undertake routine processing functions (such as the production of despatch labels for business surveys). If you have any doubts as to whether a proposed disclosure would be consistent with this policy, please contact Audit, Policy and Parliamentary Liaison Section.

12   Information about a person, family, household etc of a personal or domestic nature may be disclosed, but it must be confidentialised. It is ABS policy that an abundance of caution must be applied when considering whether to release information of confidentialised personal or domestic nature (that is, in a manner that is not likely to enable the identification

of a person) under Clause 7A. All releases which are approved will need to go through a full assessment by the Microdata Review Panel, similar to releases under Clause 7.

13   The *Statistics Determination* is an enabling provision only. Therefore release of information under Clause 7A of the determination is at the discretion of the Statistician. It is ABS policy that Clause 7A will only be used when the benefits of disclosure are clear and would not have an adverse affect on: the trust of the providers who supplied the information; those about whom the disclosed information relates; and the broader community.

Seeking approval for disclosure of business information

14   It is ABS policy that in seeking the approval for the disclosure of business information under Clause 7A of the *Statistics Determination* , the following three-step process must be undertaken:

   a. approval-in-principle by the Statistician;
   b. arranging the contract, MOU or other agreement and obtaining signed undertakings; and
   c. formal approval by the Statistician.

15   Details relating to each of the above steps can be found in the Clause 7A procedures document.

Seeking approval for disclosure of unidentifiable personal or domestic information

16   It is ABS policy that in seeking the approval of the Statistician for the disclosure of personal or domestic information under Clause 7A of the *Statistics Determination* , the following four-step process must be undertaken:

   a. agreement to proceed;
   b. approval-in-principle (which includes the Microdata Review Panel assessment of the information to be release, similar to Clause 7 releases);
   c. arranging the contract, MOU or other agreement and obtaining signed undertakings; and
   d. formal approval.

17   Details relating to each of the above steps can be found in the Clause 7A procedures document.

LEGISLATION

18   The disclosure of information to enable the Statistician to perform relevant functions is authorised by Clause 7A of the *Statistics Determination* :

   STATISTICS DETERMINATION 1983 - REG 7A -
   Disclosure of information to enable the Statistician to perform
   **relevant functions**

   (1) Information relating to a person, other than information of a personal or domestic nature which is likely to enable the identification of that person, and information relating to an organization may, with the approval in writing of the Statistician, be disclosed to a person or organization where:
   (a)   the disclosure is to assist the Statistician

to perform statistical functions; and

(b)   the Statistician has been given a relevant undertaking for the purposes of this clause.

(2) A reference in this clause to a relevant undertaking shall be read as a reference to an undertaking in writing by:

(a)   in the case of information to be disclosed to a person, being an individual — that person; or

(b)   in the case of information to be disclosed to an organization — each proprietor, partner, officer or employee of that organization who has access to the information, that the information will be used only to assist the Statistician to perform the statistical functions as specified in the undertaking and that the information will not be disclosed to another person or organization other than a proprietor, partner, officer or employee of the same organization who has also given the Statistician an undertaking pursuant to this clause.
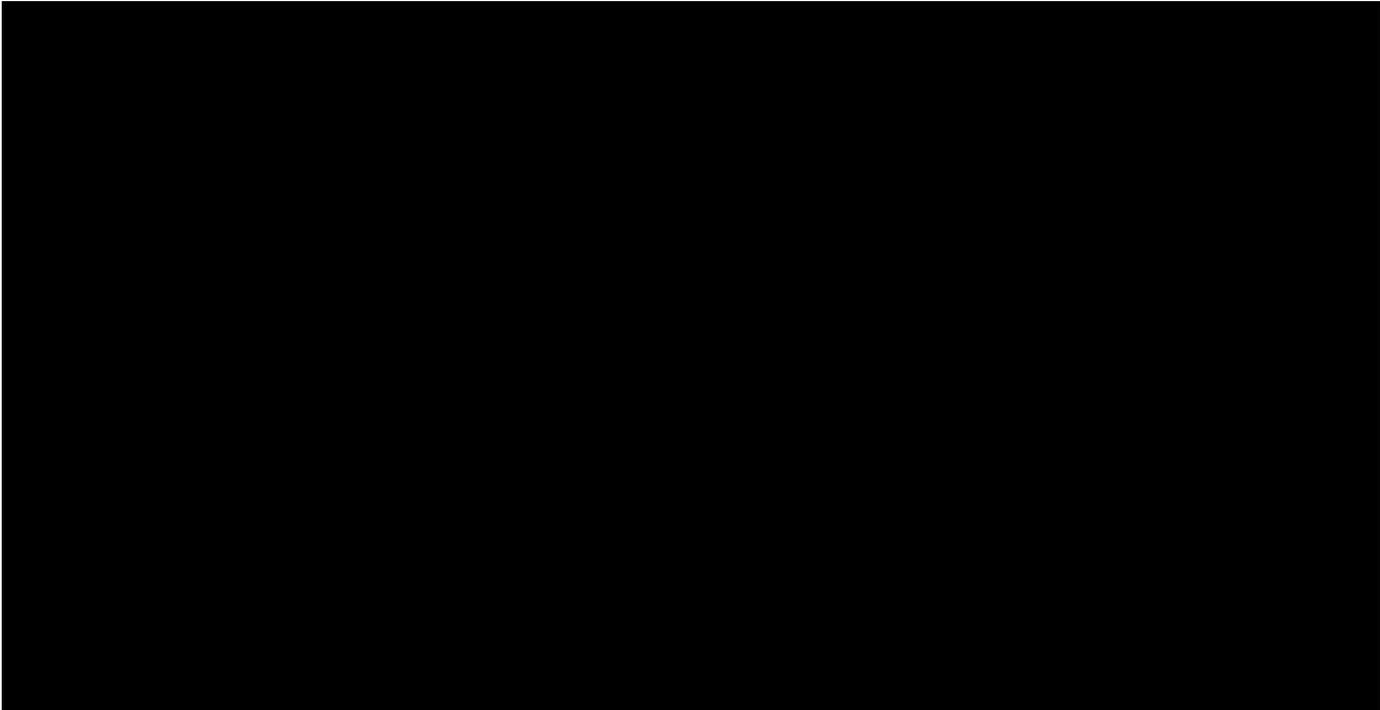
REFERENCES AND RELATED INFORMATION

21   *Census and Statistics Act 1905*

22   *Statistics Determination 1983*

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23   In the first instance, any queries relating to the application of this policy should be discussed with your own line management. Any further queries should then be directed to Audit, Policy and Parliamentary Liaison Section.

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> **For further information, contact:**
> **Head, Audit, Policy and Parlimentary Liaison**

Corporate File   Methodology Solution Cycle ▉▉▉▉▉▉

Document

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The Methodology Solution cycle

The methodology solution cycle has 5 broad phases, although in reality they overlap, and iterate. They are :

  1 Initiation and Research : Problem recognition and formulation of methodological framework
  2 Experimentation : Pilot test potential solutions
  3 Development : Develop infrastructure, and commence implementation
  4 Delivery and Adoption : Develop expertise and achieve benefits
  5 Support and Review : Continuous improvement, and adapting to new situations

1 Initiation and Research

Unlike the IT development cycle which is often driven by new opportunities, methodological research is usually demand driven. Either a recurrent pattern begins to emerge from problems encountered in existing operations, or the workprograms of client areas signal a need for solutions to new problems.

Initial steps are to recognise the problem, and identify its most salient methodological features. This usually involves identifying the general issues underlying specific existing operational problems.

Then begins a search for potential solutions. Frequently MDMD staff develop solutions from scratch, by modifying existing methods, or inventing new ones. Increasingly we are seeking to look outwards, by maintaining a good knowledge of the relevant literature, attending conferences, visiting and being visited by colleagues from other NSOs, and especially by utilising the ███████████████████████████████████
We also have fruitful links with the ██████████ in the price index area.

During this stage there is little demand on our internal clients. MDMD staff may need access to existing data to investigate the nature of the problem, but typically once permission has been granted, MDMD staff access and manipulate the data without much assistance from clients. Timelines are difficult to specify precisely, and our major internal need is to ensure that the problem merits the degree of effort being put into it, and for feedback about the relevance and suitability of potential solutions. It is a stage where external scanning and consultation can prove particularly helpful.

2 Experimentation

Theoretical solutions must be proved in practice. And often, experimentation and trial is needed to guide the development of the theoretical solutions in the first place.

During this stage the demands on the clients we are seeking to serve begin to grow. If the potential solutions involve new algorithms, MDMD staff may well develop code to implement them as part of their research work. But frequently new data will be needed, or some form of field trial of the new method. MDMD does not have an independent budget for trials, nor any operational capacity. Essentially we need keen guineau pigs, willing to explore the new method as part of their pilot test work, or as an add-on or modification of live operations (carefully treated to avoid risk to statistical outputs of course).

As trials proceed MDMD also needs active involvement in their evaluation, with feasibility, and cost concerns typically needing to be offset against the methodological merits of a new method.

Timelines begin to firm up, though flexibility is still needed, as the very purpose of conducting a trial is to uncover aspects which have been overlooked, or new issues which emerge from practical experience.

At the end of this stage MDMD staff know what needs to be done.

3 Development

To proceed to this stage, MDMD looks for and needs commitment from client areas. Information about the new method must be disseminated beyond the initial pilot sites, and be considered by potential adopters who, till this stage, may not have been closely involved with the project. New problems may emerge, or more likely, additional complications to existing ones.

Adoption of new or improved methods means changes to systems, both IT (which implies an investment of TA resources, usually) and people. In ABS, this usually requires both acceptance by the senior executive of our client areas (to authorise the changes and supply funds for any necessary developments), and by individual operational areas, who will have to adopt the new methods and systems once developed.

If the project proceeds, timelines and budgets tend to be fairly well specified (though inevitably we move through the various stages of the IT hype cycle). When done well, planning will also begin for the deployment of the new methods, with MDMD looking to explain and educate about the new techniques, and operational areas making provision in forward workplans to adopt the changes.

The challenges here are to produce systems and methods which fit into existing processes and systems. Very rarely does a methodological change revolutionise an entire operation. Usually a component of a process is improved or replaced. End to end issues (both in an IT and a business process sense) require careful attention.

At the end of this stage MDMD staff have the necessary tools and know how to do what needs to be one.

4 Delivery and Adoption

The latter stage of development, or initial stage of delivery and adoption, involves acceptance testing and signoff on the new systems. In an IT sense, this may mean testing new tools within the context of existing systems. While MDMD staff can check that the algorithms in new tools operate correctly, client areas must confirm that the new and old components link together correctly, receive the correct inputs, and send the outputs on successfully to the next stages in the processing cycle.

During the deployment period, there is a need to fine tune the application of the new method to each specific instance of its use, and to explore and fine tune assorted parameters and options. During this stage, within MDMD, knowledge about the new method must spread from the team involved in the research and development, to the wider group of people who support all the clients who will be adopting the new method. And our MDMD expertise has to grow from the theoretical, and that garnered from experimentation and pilot tests, to a broad and deep familiarity with practical applications.

Each adopting client area needs to review and quality assure the outputs, to make sure that all aspects (statistical and operational) of the new method are understood and performing as designed.

At the end of this stage MDMD staff have experience in applying the solution, and know why various options are chosen and in what circumstances.

In fact, in an ideal world, this understanding and appreciation would be spread to the client areas. The new methods would be understood, and the consequences of various choices well appreciated by client areas. MDMD staff would move from their role of supporting a new method, to one of consulting and advising about the more complex aspects, or particularly tricky new problems which emerge during the operational use of a well understood existing method.
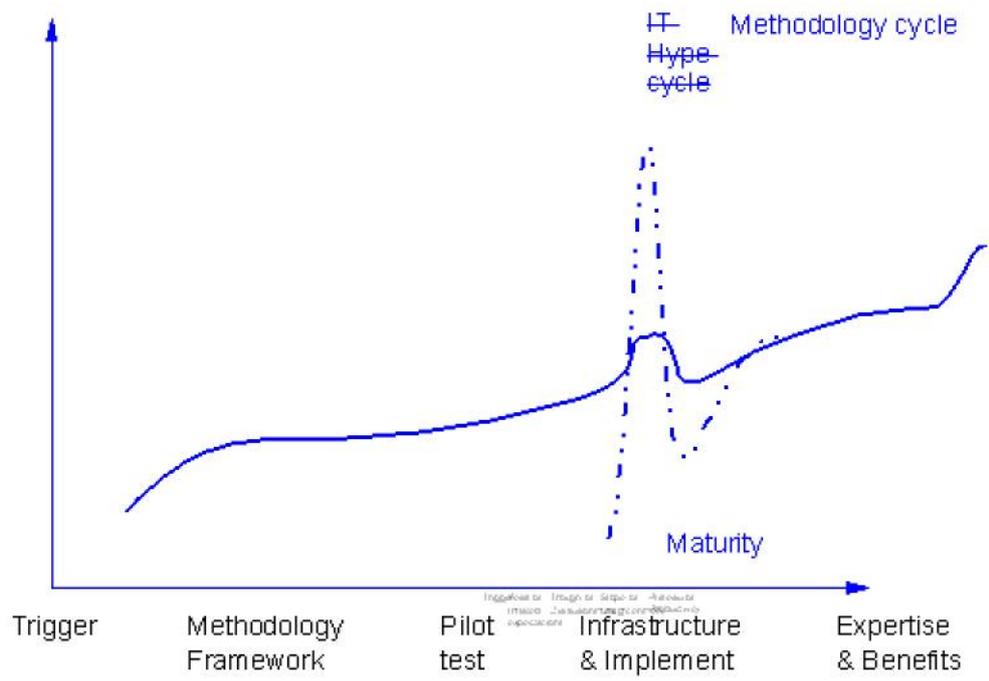
5 Support and Review

Once a solution has been adopted, there is an ongoing role for MDMD in supporting and maintaining the solution. One very effective means of support is ensuring that the solution is widely understood and effective documentation exists that clearly communicate how the solution works. It can take time to build up to this! So part of this step is continually improving the quality of documentation, the user-friendliness of the solution, and the knowledge and understanding of the solution throughout ABS.

This step also encompasses on-going support for the solution. As documentation improves, and competency in / knowledge of the solution outside MDMD improves, there should be a gradual but consistent decline in the amount of routine support and maintenance required from MDMD. However, it is also quite possible that new and unexpected problems may continue to crop up for some time, requiring MDMD assistance.

It is also important to regularly review and evaluate the solutions we implement, to check they are performing as required, and to continually improve them in light of what we learn about their operation in practice.

The methodological solution curve !

Diagram axes and labels: IT Hype cycle / Methodology cycle, Maturity.

Trigger — Methodology Framework — Pilot test — Infrastructure & Implement — Expertise & Benefits

**Policy and procedure for dealing with the risk of matching CURF data with
other CURF data with overlapping samples**

This policy and procedure covers the risks associated with releasing CURFs that have overlapping sample with other CURFs released or CURFs expected to be released in the future. The risk occurs when the same records may appear on multiple CURFs due to an overlap in sample. Because most CURFs contains a number of demographic variables these common variables can be used to match records on one CURF with records on another (or possibly multiple other CURFs). If a users was to match the records from the multiple files this increases the risk of disclosure. Efforts must be made to reduce this risk.

This document is split in two sections:

Part 1: General framework for assessing and mitigating the identification risk
This section outlines the issue and concerns when there is overlapping sample for CURFs. It also includes DRB's general comments for assessing and mitigating the risk.

Part 2: Procedure for mitigating the risk of disclosure - Application of the framework
This section includes a step by step guide for MAS and survey areas.

PART 1: General framework for assessing and mitigating the identification risk

1) As an overall mitigation action, any masking applied to the records of one file should be applied consistently to the same records in subsequent files released. Additionally, where subsequent masking is recommended for an overlapping unit, this masking should be applied to the survey specific items (ie additional masking cannot be applied to the overlapping data items that have already been released on an earlier file) of the file proposed to be released, and must be carried out in such a way that any assessed disclosure risk would be adequately mitigated

2) The level of risk of disclosure is probably increased from combining the data items on the overlapping CURFS. Identifying the level of risk can be done by a conceptual inspection of the data items on the multiple CURFs.

3) After you have identified the level of risk from the combination of data items, determine how likely it is for a user to link the multiple files
- what are the match keys between the two files? what variables are common on the multiple CURFs
- consider types of files eg Expanded CURF accessed via RADL or Basic CURFs accessed on CD ROM or other ABS releases including clause 7as
- may need to actually match the CURFS to assess how likely

4) Given there is a reasonable chance of a user linking the files an assessment and further action needs to be undertaken to reduce the risk of

disclosure.
- identify any records at increased risk of identification from the combination of data items. For example, if the Basic CURF is already released and looking to release overlapping expanded CURF then look at

    (i) high risk records on the Basic CURF and determine if any would have been masked if the additional information from the overlapping CURF was also available and

    (ii) high risk records on the Expanded file and determine if any would have been masked if the additional information from the overlapping CURF was also available

5) Mitigate the risk
- masking should be applied consistently across all files (ie if something is masked on one file it should be masked consistently on all other files released)
- consider whether administrative arrangements can/should be put in place to stop matching taking place
  Example: implement an administrative access arrangement where users are provided access to only one file at the same time (where there is overlapping sample). All saved files in RADL would be deleted when removing access to one file and being provided with access to the next. If Basic/Expanded combination can request return of Basic file before access to Expanded (but can't rely on return of file).
- in RADL ensure daily auditing to identify users attempting to extract a large number of records and/or large number of data items for one record.
- undertake additional masking identified in step 4.