

Data-sharing between Public Service Bodies

Submission by the Citizens Information Board

Introduction

The Citizens Information Board (CIB) welcomes the opportunity to comment on the Public Service Data-Sharing and Governance initiative. The Board believes that such data sharing has the potential to enhance access to public services generally by providing more effective linkages between public services and thus minimising duplication of effort. While such data sharing will potentially be valuable, it is important to bear in mind that integration across the public sector will continue to present significant challenges, in particular those arising from a functionally organised service delivery system.

A frequently reported issue by users of services provided by CIB delivery partners¹ is people being required to provide the same basic personal information over and over again to public service bodies, including to different sections within the same department/agency. Data sharing as proposed should eliminate much of the need for people using public services to provide personal details at every contact with the system which is frustrating for the citizen and unnecessarily time consuming for the public body. Data-sharing between public services should facilitate better service for individuals who require multiple engagements with public bodies.

Citizen-centred Services

Providing citizens with a *seamless service* often requires a high level of co-operation between public services. The multiplicity of public sector agencies and the large number of services they deliver call for better integration of administrative processes. One of the key principles in the delivery of quality public services is the integration of services at local, national and regional levels. As far back as 2002, *New Connections*, the Government's Action Plan for the Information Society, referred to the need for a greater focus on "streamlining background processes, facilitating cross-organisational collaboration, continuing to develop an organisational culture with a user-centric focus" (p.21). The OECD Review of the Irish Public Service (2008) noted that "responding to more complex, cross-cutting issues will require an integrated Public Service that acts increasingly through networks rather than top-down structures" (p.25). Data sharing should be viewed as a basic building block for such networks.

E-government

The Irish e-government agenda has continued to evolve over the past two decades with a focus on bringing e-government into the day-to-day reality of Government and a corresponding focus on process efficiencies, cross-departmental working and ongoing infrastructural and service improvements. The ongoing potential of e-government in providing a citizen-centred approach has been previously highlighted by the CIB and has been emphasised in the OECD 2008 Report. The Public Service Data-Sharing and Governance initiative has the potential to make a significant contribution to the e-government agenda..

Factors to be considered in the Data-sharing Initiative

The CIB agrees that there is much to be gained from by public services being able to use data that is already available electronically in the public service when delivering services, once an explicit legal basis has been put in place in accordance with Data Protection

¹ The CIB has four service delivery partners: Citizens Information Services (CIS); the Citizens Information Phone Service (CIPS); the National Advocacy Service (NAS) and the Money Advice and Budgeting Service (MABS). CISs deal with some 1 million queries from the public annually.

legislation. We look forward to the publication of the Data-Sharing and Governance Bill in due course.

Pending the publication of the Bill, the CIB identifies the following as factors that need to be taken into account in developing the Public Service Data-Sharing and Governance initiative:

- Full transparency as to what is envisaged in “two public service bodies sharing structured data about an entity (such as a person, business, property or event” as defined in the published policy document and a clear explanation of how the data will be shared
- Need for a shared understanding across public services and between public bodies and individuals in relation to protocols and mechanisms
- A clear statement of what criteria would apply in determining what additional information can be shared between public services on a ‘need to know’ basis and how this is to be prioritised
- Clarity as to who will be entitled to have access to the data
- Clear information about the electronic nature of data-sharing and the potential risks therein
- Individuals being informed that some personal data provided to one public service will potentially be available to a number of public service agencies
- A need to make it clear that the data sharing will not extend to people’s personal health records
- Safeguards to protect the data held about an individual and to ensure that it can and will only be used for the purposes for which it is intended
- Protocols which ensure protection against the inadvertent linkage of the data with any other personal data held, e.g., health and clinical information
- Clarity about the limitations of data-sharing – it is not a panacea for all issues relating to public service administration

Linkages with Other Datasets

The Public Service Data-sharing initiative will obviously need to be linked to other shared initiatives already under way – the Public Services Card, the Revenue Commissioners datasets and the HIQA National Demographic Dataset.

Ethos of Data Collection

While the development and maintenance of shared datasets is not an end in itself, it is key component in planning and delivering a quality service. There is thus a need to foster a stronger ethos of standardised data collection throughout the public services system with its rationale and purpose clearly defined. This is vital if the necessary time, resources and back-up support required to implement the initiative are to be effective.

Data Retrieval

It is of paramount importance that the shared datasets are designed in such a way that the data is easily retrievable by those who are entitled to use it. Capacity to retrieve the data should be an integral part of the system.

Protecting Confidentiality in the Context of a Shared Electronic Dataset

Electronic records available across the public service would mean greater efficiency in the delivery of public services. Particular care needs to be taken to ensure that they are used for the purposes for which they were created -- this is already a requirement under the data protection legislation. The difficulties related to ensuring that confidentiality is protected in a shared public service electronic dataset need to be openly acknowledged, particularly where information provided in one setting (e.g., Department of Social Protection) is to be transferred to another setting (e.g., HSE or Local Authority). There may be a difficulty in that information that an individual is prepared to provide to one public service on the basis of confidentiality may be different from the type of information that an individual may wish to provide to another agency.

Mandatory or Optional

A key question to be addressed is whether or not people will have the option to consent or not to data-sharing between public services and how a mandatory system of data-sharing would impact on an individual's right to privacy. For example, if it envisaged that Unique Identifier Number would be issued to all persons who engage with the public services system, would an individual have a choice as to whether s/he wished to be part of such a system and would access to benefits and services be contingent on a person having a Unique Identifier Number on the shared Dataset.

Consenting to Data-sharing between Public Services

Consent to data-sharing between public services may present difficulties in cases where a person has communication difficulties or lacks full capacity (e.g., as in the case of some people with an intellectual disability or someone with dementia) – this is an issue which needs to be addressed..

Ensuring Participation by the Public

Unless there is full support for the Public Service Data-sharing by the population in general, its benefits may not be realised and the system would be at risk of becoming dysfunctional in terms of its main purpose.

Resource Implications

There are likely to be significant resource implications in developing and maintaining a standardised shared dataset for public services. Care is thus required in order to ensure that service to individuals is not lessened because of data collection requirements.

Questions to be addressed in Developing Public Service Data-Sharing and Governance

The CIB identifies the following as key questions to be addressed in the implementation of the Public Service Data-Sharing and Governance agenda:

- (i) Will information already available to some public services (e.g., PPS Number) be automatically included in the shared dataset?
- (ii) Who can request information from individuals that will be inputted into the shared dataset?

- (iii) What is the appropriate balance between the responsibility afforded to public services to collect data from individuals and the right of an individual to refuse?
- (iv) Which public services will have access to the Dataset?
- (v) Who will develop, operate and monitor the Dataset?
- (vi) How will the Dataset be accessed by different public services?
- (vii) Are there training implications and, if so, how will these be catered for?
- (viii) Will individuals be able to access their own record on the Dataset?
- (ix) Who will be responsible for putting in place the required IT systems and interfaces and other security protocols?
- (x) What costs are associated with setting up and maintaining the shared Dataset and how will these be met?
- (xi) What are the next steps?
- (xii) What will be the processes for reviewing the system?

Overview

The CIB broadly supports the Public Service Data-Sharing and Governance initiative and sees it as a significant stepping-stone in a move towards a more integrated and accessible public service. However, the Board is strongly of the view that the introduction of Data-sharing must be based on clarity of purpose and clarity of protocols and procedures. The CIB takes the view the implementation of the Public Service Data-Sharing and Governance initiative should be contingent not only on having the necessary legislation in place but, also, on having the required infrastructure in place, including, in particular, a listing of the public services to be included, clarity about the development and maintenance of the datasets and clarity about how confidentiality is to be protected in keeping with the requirements of Data Protection legislation. This latter point is centrally important given that the initiative is a significant departure from previous practice in respect of data sharing. The CIB considers that the introduction of Public Service Data-Sharing and Governance will need to be accompanied by education and training measures across the public sector to ensure that the systems are operated efficiently and effectively and in accordance with best practice.