

Updating Victoria's Open Data Policy

Data Vic Access Policy Review
and Recommendations.
Summary of Submissions

May 2020



Premier
and Cabinet
Digital, Design and Innovation

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Accessibility

If you would like to receive this publication in an alternative format, please contact us via www.data.vic.gov.au/contact-us

This document is also available at <http://www.engage.vic.gov.au> and this report and the raw survey data from this consultation is available at <http://data.vic.gov.au>

Executive Summary

This is a summary of the submissions received in response to the draft Open Data Policy which replaces the Data Vic Access Policy endorsed by Cabinet in 2012. Community feedback on the draft policy was sought between December 2019 and January 2020.

We gave the community the opportunity to complete a survey or provide a written response to the draft policy. The survey questions allowed for free text comments and multiple-choice responses.

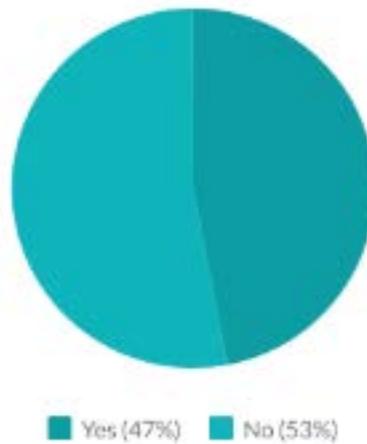


We heard from public servants, community groups, Not for Profit (NFP) organisations, universities, and research institutions.

This report groups the feedback received from the public into six themes to frame and make sense of the contributions.

When asked if Victorian Government data could be easily found 47% percent answered “yes” and 53% answered “no”.

Are you able to find the
Victorian Government Data you're
looking for?



The themes highlighted in this report will be used to update Victoria’s Open Data Policy and all practical and actionable suggestions and changes requested will be considered in finalising the policy.

Due to the breadth and richness of the feedback received through the consultation, it is anticipated that DPC will be working on the final policy well into 2020. When the policy is released it will include a summary of how feedback was reviewed and incorporated into the new policy.

Six themes identified during the public consultation

Theme 1

Purpose, Objectives and Outcomes

Theme 2

Reporting on Open Data Releases and Reuse

Theme 3

Framing the Policy According to Desired Outcomes and Changing Data Ecosystems

Theme 4

Aligning with Federal Legislation and Policy

Theme 5

Setting guidelines for when alternative licensing and cost recovery measures are appropriate

Theme 6

Risks and benefits of open data release and releasing unit record data as open data.

Background and Context

In Victoria, our first open data policy was released in 2012 as the Data Vic Access Policy administered by the Department of Treasury and Finance (DTF) and then later by the Department of Premier and Cabinet (DPC) with support from the Victorian Centre for Data Insights (VCDI). The policy aims to ensure and support the public release of data produced and collected by the Victorian Government with the expectation that it would:

- stimulate economic activity,
- improve decision-making within government
- increase the efficiency of the Victorian Public Service (VPS)
- provide citizens with greater, unrestricted access to data that enables transparency around the activities of the government and public service
- encourage the re-use of government data for a variety of purposes

Since the policy was first established, information technology, data ecosystems, and data literacies have become sophisticated. At the same time, many of the early-adopting governments began to face the challenges of:

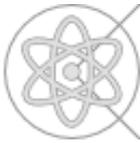
- a) maintaining a commitment to open data publishing quotas and
- b) demonstrating that the proactive release of data translates to better policy outcomes or that it stimulates economic development.

Victoria strives to be a leader in the publication of open data and to guide its future strategy for responsible data stewardship, in December 2019, we began to review and seek input from stakeholders and the public on a revised Open Data Policy to reflect contemporary data practices and align with terminology used by other jurisdictions.

The proposed new policy outlines a more strategic approach to achieving a wider range of benefits that Victoria can meet through its open data program, going beyond the focus on productivity and economic stimulation.

The existing policy principles impose wide-ranging requirements on custodians which are difficult to follow. For instance, the central pillar of the existing policy is the rule that all data is released unless it falls into an exception. This is a significant resourcing impost on agencies that is not practical, given resourcing and system constraints. A pragmatic response is shifting the principles of the policy away from “open by default” to a requirement for agencies to “proactively release open data to achieve policy outcomes”. This gives agencies a frame of reference for prioritising data release while also allowing agencies to have more control over assessing the risks and opportunities that this poses. To provide further context, some of the basic principles that guide open data programs appear on the next page.

Principles of Open Data



Completeness: data should be available in bulk so that multiple operations can be performed unhindered and made available before APIs are created because APIs only return small slices of data



Close to the source: collected with the highest level of granularity not in aggregate or modified form and if an entity chooses to publish data transformed by aggregation or transcoding, then it has an obligation to make the full resolution data available to preserve the data for prosperity.



Timely: data is made available as close to the time of its collection in order to maximise its value and currency.



Accessible: data is made available in the absence of technical restriction and with consideration to hardware and software platforms, and industry standard protocols and formats including alternatives when industry standards impose burdens on wider reuse.



Machine processable: data is encoded in a way that allows processing by computers, records are normalised and tabulated, and documentation on the data's form and content must be available to all potential users.



Non-discriminatory: data is available to anyone without users requiring to register their details. Anonymous access to data should be allowed, including via anonymous proxies.



Non-proprietary: without licence, online, free of charge and available in a format over which no entity has exclusive control.



Permanent: data is made available at a stable online location indefinitely and in a stable format for as long as possible.



Trusted: data should include attestation of publication, authenticity and quality.

Summary of Survey and Submission Themes

Theme 1: Purpose, Objectives and Outcomes

The draft Open Data Policy proposed that quota-based “open by default” approaches to data publishing should be reframed as “proactive release” to achieve policy outcomes. A significant amount of comments centred around the interpretation of the term “proactive” and many of the comments and submissions called for greater clarity around what this meant in terms of the expectation it placed on data releasing agencies in terms of not only resources required to prepare and maintain data assets but also how an agency’s performance would be evaluated in a manner that is appropriate for the unique business context that an agency operates in.

Issues included:

- How government departments, agencies and individual public servants' compliance with the policy would be measured.
- Knowing how to determine which datasets are fit for release and which are not.
- Measuring the policy impact of data release and reuse.

Theme 2: Reporting on Open Data Releases and Reuse

The draft policy proposed that the full range of benefits of open data release and re-use be acknowledged as drivers proactive release. Comments and submissions called for the need to clearly define the nature of these presumed beneficial outcomes linked to open data releases and highlighted the need to evaluate and promote examples where this has occurred.

Issues included:

- Ensuring the public were aware of the data available to them and what data they can expect to have access to in the future.
- Transparency around the data release priorities of government departments and agencies.
- Clear communication of the primary reasons for collecting data that has been released to the public and providing clear guidelines on its accuracy, reliability and overall quality.
- Accountability for providing reliable, quality data for users with varying levels of data literacy.

Theme 3: Framing the Policy According to Desired Outcomes and Changing Data Ecosystems

Since its introduction, the policy landscape surrounding public data release has increased in complexity. Advanced analytics techniques, new industries and new technologies bring with them opportunities and risks. Comments and submissions raised the issue of how frequently the policy should be reviewed and updated.

Issues included:

- The development of new frameworks and guidelines for best practice and how these might be captured within the policy.
- The role of the private sector in advising the government on matters of data governance.
- Increasing data literacy within the public services and anticipating emerging opportunities for data reuse.
- Acknowledging the potential for misuse of data and the unpredictable nature of data re-use.

Theme 4: Aligning with federal legislation and policy

The review of the Data Vic Access Policy recommended that a new policy should be designed so that it allows for different options to further explore the potential impacts of data release, including increased co-operation with other governments. While most survey respondents agreed with this, we also received feedback about the need to establish appropriate guidelines and adapt existing frameworks so that that exploration of value in open data be extended to partnerships with university researchers and parts of the private sector.

Issues included:

- Benchmarking data release priorities against other governments.
- Consulting with researchers with domain-specific knowledge about data releases in accordance with the FAIR¹ data principles.
- Distinguishing between government data that is made open for public access and shared between government agencies and trusted partners.

¹ <https://www.andso.org.au/working-with-data/fairdata>

Theme 5: Setting guidelines for when alternative licensing and cost recovery measures are appropriate

The introduction of the Data Vic Access Policy in 2012 resulted in some data services that had been previously provided for a fee transition to data being made available for free and unrestricted use. We recognise that there may be circumstances where it could be appropriate to publish open data under other licences and in some instances provide value-added data for a small fee.

Issues included:

- Setting clear guidelines for agencies on when cost recovery is appropriate.
- Developing pricing models that ensured charges for specialized data services do not impact on data accessibility and quality of freely available data.

Theme 6: Risks and benefits of open data release and releasing unit record data as open data.

Many of the submissions cited the Productivity Commission Report into Data Availability and Use (2017) which encouraged a cost versus benefit approach to making more, and different types of data available for re-use.

Issues included:

- Working with the Office of the Information Commissioner of Victoria (OVIC) on building awareness of department and agency obligations under the policy.
- Documentation and reporting of cases where there may be a risk of re-identification of information relating to individuals in an aggregated or anonymised dataset that has been released for public re-use.



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