

Lead topic: Government Reform Agenda	Sub-topic: Data Sharing & Governance Bill	Contact: Evelyn O'Connor Ext: 5311
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FAST FACTS

- The Data Sharing & Governance Bill is at Pre-Legislative Scrutiny stage.
- Publication of the Bill and progress through the Oireachtas is expected in the second half of 2017
- The Bill will mandate greater data-sharing and data-linking in the public service, provide a legal mechanism to facilitate lawful data-sharing for all public bodies, and define standards for data governance and security to be followed in any data-sharing activities.

Q&A'S

What are the objectives of this legislation?

The objectives of the Data-Sharing and Governance Bill are:

- to promote and encourage data-sharing between public bodies by providing a statutory framework for data-sharing for legitimate and clearly-specified purposes that are compliant with the Data Protection Acts;
- to reform and modernise how data is arranged, shared and processed by public bodies by providing for definitive registers of information;
- to increase the use of digitalisation for delivery of services to individuals and businesses by reducing reliance on paper documents;
- to provide that the Minister for Public Expenditure and Reform may direct public bodies to engage in data-sharing, subject to the Data Protection Acts and the governance provisions of the Bill;
- to improve transparency and respect for individual rights by setting new governance standards for data-sharing; and
- to provide a number of enabling provisions to support the delivery of the Government's Open Data Initiative.

What issues will be addressed by this legislation?

At the moment, an overly restrictive interpretation of current data protection law by some public bodies may cause them to be reluctant to share data with other public bodies in cases where it would otherwise be beneficial. This Bill addresses this problem by establishing an unambiguous legal basis for data-sharing between public bodies by specifying common purposes that support their work.

Where a cross-departmental data-sharing requirement exists, there may not be sufficient incentive for any particular Department to meet it. The Bill provides that the Minister for Public Expenditure and Reform, with the consent of any other relevant Minister, may direct public bodies to engage in data-sharing when necessary.

Data-sharing is an important and growing area of government activity. Having related provisions spread over many Acts makes data-sharing less transparent. While it is not

currently intended that the proposed legislation would replace specific existing provisions, it would provide new governance and transparency requirements for future data-sharing.

What concrete benefits are expected?

Widespread data-sharing between public bodies reduces the burden on citizens and business by avoiding the need to provide the same information multiple times to different bodies. The implementation of an “ask once, use many” approach can help to significantly reduce the administrative burden on citizens and businesses and allow them to avail of higher quality, more efficient and seamless public services on a cross-sectoral basis.

Data-sharing provides efficiency gains and cost savings for public bodies by reducing manual document-checking, removing unnecessary registration processes and providing more and better data for controlled activities.

How does this legislative proposal fit into the Government’s Reform Agenda?

Government has prioritised data-sharing in the public service. The Public Service Reform Plan contains a commitment to “review all relevant legislative provisions in relation to data-sharing between public bodies and develop principles for the sharing of data”. Increased data-sharing also underpins the delivery of a number of the other objectives set out in the Reform Plan.

The vision set out in the 2014 Civil Service Renewal Plan implies that significantly more data-sharing will occur between public bodies.

The Government’s Public Service ICT Strategy, launched in January 2015, also emphasises data-sharing on a whole-of-government basis as “critical to supporting better decision making, driving efficiency and delivering a range of new digital government services to citizens and businesses”.

What is required next?

The Draft General Scheme of Bill is undergoing pre-legislative scrutiny by the Joint Oireachtas Committee of Finance, Public Expenditure and Reform. Public hearings with officials from the Department and other stakeholders (including the Data Protraction Commissioner and digital rights advocates) were held in May 2017. The joint committee’s report will feed into the drafting of the Bill, which is underway. It is expected that passage of the Bill will commence in Q3 2017.