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Senate Finance and Public Administration Committees
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Go8 Submission to the Office of the Senate Standing Committees on Finance and Public Administration on the Data Availability and Transparency Bills

The Group of Eight (Go8) welcomes the opportunity to make this short submission on the *Data Availability and Transparency Bill 2020* and companion *Data Availability and Transparency (Consequential Amendments) Bill 2020*.

Please note the following represents the views of the Go8 which leads policy and advocacy for Australia's consistently leading-research intensive universities with seven of its members ranked, again consistently, in the world's top 100 leading universities. Each member Go8 university may submit its own related submission.

Also note that the Go8 is happy for this submission to be published and does not wish any of it to be treated as confidential.

The Go8 represents Australia's leading research-intensive universities, accounting for more than two-thirds of Australian university research activity and spending some \$6.5 billion on research annually.

Collectively, we generate a significant proportion of the sector's research data, much of which is made available to others through collaboration, partnerships and publication. A component of this research includes data collected, created or held on behalf of a Commonwealth body.

The Go8 endorses the Data Availability and Transparency Bill's goal to improve how Australia shares and uses its public sector data to enhance research and policy outcomes for the benefit of all Australians. We also welcome the Australian Government's commitment to establishing a safe, accountable, and transparent pathway to share public sector data.

Go8 members engage extensively on research with the public sector using a wide range of public sector data, and with a wide range of access arrangements. Timely and efficient access to public sector data is critical to improve a range of research and public policy outcomes, a fact that is becoming even more important in the context of the COVID-19 pandemic and Australia's post-bushfire and post-pandemic economic recovery.

To that end, our members seek to continue to actively engage with the Government once the data scheme enters implementation to ensure that all public sector access arrangements, whether optionally via the scheme or through existing pathways, are calibrated to maximise access and research outcomes, which in turn support improved public policy.

Further, the Go8 is also committed to making research data as widely available where possible, in keeping with the policies and codes under which our researchers and institutions operate, such as the Australian Code for the



Responsible Conduct of Research and the policies of the two major Australian public research funding bodies: the Australian Research Council¹ and the National Health and Medical Research Council².

The Go8 is also a cosignatory with our international research university counterparts, to the *Sorbonne Declaration on Research Data Rights* which is based upon principles that include the open sharing of data to develop new knowledge and accelerate discoveries for the benefit of society and economic development, and a recognition of the integral role that the academic community has in identifying the complex conditions for data sharing and reuse.

These layers of commitment recognise even broader international movements such as those by the OECD³ and the G8⁴ to open up access to publicly funded research data. The Go8 recognises and embraces open access research practices as a basis for collaborative and successful research partnerships.

The Go8 welcomes the changes made to the introduced bill to clarify the charging of fees by data scheme entities (Section 140) and the definition of public sector data [S10(2)], as advocated for in our representations to the Office of National Data Commissioner.

Key points:

1. The Go8 supports the objects of the Act as listed in the Data Availability and Transparency Bill and commends the Government's commitment to enhance and streamline efficient access to public sector data.
2. The Go8 welcomes the Government's commitment to establishing a safe, accountable, and transparent pathway to share public sector data.
3. The Go8 welcomes the approach by the data scheme that is consistent with the Go8's broad commitment to open access to publicly funded research data, with an inherent appreciation that open access research practices are a basis for collaborative and successful research partnerships.

¹ The ARC strongly encourages the depositing of data arising from a Project in an appropriate publicly accessible subject and/or institutional repository (<http://www.arc.gov.au/funding-rules>)

² In addition to requiring metadata from any publications arising from NHMRC supported research projects to be deposited into an open access institutional repository immediately upon publication, the NHMRC also encourages researchers to share and deposit research data arising from NHMRC supported research projects through an open access database (<https://www.nhmrc.gov.au/book/nhmrc-funding-rules-2016/NHMRC-funding-rules-2016>)

³ OECD 2007 Principles and Guidelines for Access to Research Data from Public Funding (<http://www.oecd.org/sti/scitech/oecdprinciplesandguidelinesforaccesstoresearchdatafrompublicfunding.htm>)

⁴ On 12 June 2013, G8 Science Ministers committed in a Statement to openness in scientific research data and support for a set of principles for open scientific research data (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/206801/G8_Science_Meeting_Statement_12_June_2013.pdf)



Recommendations

1. That all efforts are made to ensure that the data scheme in the Bill, whilst optional, augments and supplements the ease and effectiveness of access to public sector data for researchers rather than inadvertently supplants existing public sector data access arrangements that are working efficiently, effectively, and well.
2. That the Office of the National Data Commissioner notify affected research organisations where there is an intention to replace pre-existing and well-functioning public sector data access arrangements with access via the data scheme.
3. That the National Data Advisory Council continue to maintain strong representation from the higher education and research sector, with a view to including strategic research policy representation from the sector at the Deputy Vice-Chancellor, Research level.
4. That a provision is added to section 140 that ensures that where different fees are charged by a data scheme entity for the same (or essentially the same) service, Australian public universities, as accredited entities, are charged the lowest fee currently available from that range of fees.
5. That the Office of the National Data Commissioner, and the Go8 and its members, continue to actively engage in the continuing development, implementation, operation, and improvement of the scheme and its legislative instruments.

The Go8 looks forward to an ongoing engagement in the progress of the scheme which is critical to Australia's future economic prosperity and societal well-being, especially during these challenging times.

Yours sincerely

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CHIEF EXECUTIVE