



SUPPLEMENTARY SUBMISSION NO. 474.1

Australian Government

Department of Education, Employment and Workplace Relations

Our Ref EM09/86170

Ms Jane Hearn
Inquiry Secretary
Joint Standing Committee on Migration
Parliament House
CANBERRA ACT 2600

Dear Ms Hearn

Joint Standing Committee on Migration – Inquiry into Multiculturalism in Australia

On 6 July 2011, the Department of Education, Employment and Workplace Relations (DEEWR) appeared at the Canberra Public Hearings for the Committee's Inquiry into Multiculturalism in Australia.

Attached for your information are DEEWR responses to questions on notice and issues arising from these Hearings.

I understand that following a review of all submissions and evidence presented at Public Hearings, the Committee may have further questions relating to DEEWR portfolio responsibilities. The DEEWR contact for these questions is Jane Press (Director, Population and Migration Section, (02) 6121 6703 and jane.press@deewr.gov.au).

Yours sincerely

Mark Roddam
Branch Manager
Migration, COAG and Evidence Branch
Social Policy and Economic Strategy Group

// August 2011

DEEWR RESPONSES TO QUESTIONS ON NOTICE

Question 1 – Help or information provided through Job Services Australia (JSA) to employers hiring Culturally and Linguistically Diverse (CALD) job seekers (pages 4-5 of Draft Hansard)

Answer 1

DEEWR provides a range of general information outlining how JSA can assist employers with their recruitment needs. The information is general in nature and does not specifically address employment of CALD job seekers. An overview of this is available at www.deewr.gov.au/Employment/JSA/BusinessSupport/Pages/default.aspx.

JSA providers are able to produce their own brochures aimed at employers and/or job seekers, outlining the services they can provide. Attached are two brochures published by AMES, a JSA provider who specialise in assisting CALD migrants and refugees. These are included here as an example of the type of information provided (see **Attachment A**).

Question 2 – Memorandum of Understanding (MOU) between DEEWR and DIAC on data exchange and integration (page 9)

Answer

An Interdepartmental Working Group (IWG) on the Employment Outcomes for Refugees and Migrants was established in March 2010.

The primary objective of the IWG is improving cross-agency collaboration and integrated service delivery to improve education and employment outcomes for refugees and vulnerable migrants. Other agencies on the IWG are the Department of Prime Minister and Cabinet, the Department of Immigration and Citizenship (DIAC), the Department of Human Services and Centrelink.

The IWG developed a data exchange and integration Memorandum of Understanding (MOU) between DEEWR and DIAC to facilitate the conduct of cross-portfolio research projects. This will help provide a quality evidence base for policy development on vulnerable migrants and refugees.

The MOU was signed in July 2011 by Mr John Kovacic PSM, Deputy Secretary, DEEWR, and Dr Wendy Southern PSM, Deputy Secretary, DIAC. The MOU is at **Attachment B**.

The MOU commenced on 4 July 2011 and will remain in effect for three years, or earlier if the IWG is dissolved or the MOU is terminated.

DEEWR's Research and Evaluation Dataset and DIAC's Settlement Database are among the databases covered by the MOU. The databases covered by the MOU are listed in Schedule 1 of the MOU.

The MOU has been developed in alignment with the *High Level Principles for Data Integration Involving Commonwealth Data for Statistical and Research Purposes* (the Principles) and *Data Integration Involving Commonwealth Data for Statistical and Research Purposes: Governance and Institutional Arrangements* (the Arrangements) which were endorsed by Australian Government Portfolio Secretaries on the Cross Portfolio Statistical Integration Committee in 2010. The Principles and the Arrangements are specified in Schedule 2 of the MOU.

The IWG's Terms of Reference are at Schedule 3 of the MOU.

Question 3 – Proportion of New Enterprise Incentive Scheme (NEIS) participants from a CALD background (page 10)

Answer 3

NEIS Commencements, including by Refugee and CALD client groups for the 2010–2011 Financial Year

Year	Month	NEIS commencements (1)	Refugee (2)	CALD (3)	% refugee (4)	% CALD (5)	% of CALD that self-identify as refugee (6)
2010	Jul	274	7	47	3%	17%	15%
2010	Aug	268	3	43	1%	16%	7%
2010	Sep	629	7	97	1%	15%	7%
2010	Oct	493	8	75	2%	15%	11%
2010	Nov	595	10	91	2%	15%	11%
2010	Dec	662	8	108	1%	16%	7%
2011	Jan	157	2	31	1%	20%	6%
2011	Feb	201	6	46	3%	23%	13%
2011	Mar	496	5	90	1%	18%	6%
2011	Apr	458	6	82	1%	18%	7%
2011	May	635	12	98	2%	15%	12%
2011	Jun	843	16	119	2%	14%	13%
Total	Total	5,711	90	927	2%	16%	10%

All data is from Employment Services System (ESS) at 21 July 2011.

- (1) Number of NEIS businesses commenced by all job seekers
- (2) Number of NEIS businesses commenced by job seekers self-identifying as refugee
- (3) Number of NEIS businesses commenced by job seekers self-identifying as CALD
- (4) Percentage of NEIS businesses commenced by job seekers self-identifying as refugee
- (5) Percentage of NEIS businesses commenced by job seekers self-identifying as CALD
- (6) Percentage of CALD job seekers that also self-identify as refugee

Question 4 – Potential for Golden Gurus to mentor CALD participants in the NEIS (pages 10-11)

Answer 4

The Golden Gurus Quality Guidelines note the Golden Gurus program does not replace or supplement the support provided to NEIS participants during the 52 weeks of NEIS assistance. Rather, upon completion of NEIS Assistance, small business owners are provided with information about how to find a Member of the Golden Gurus Community in their area. The type of support offered by a Golden Guru will depend on the program that is run by the member organisation.

(Source: pages 7 to 8 of Golden Gurus Quality Guidelines)

Question 5 – Number of migrants arriving in Australia, number of humanitarian entrants eligible for JSA, and number of migrants in JSA (pages 13-14)

Answer 5

Since the introduction of JSA on 1 July 2009 through to 31 July 2011, there were 49 562 initial referrals for job seekers who identified themselves as holding a refugee or humanitarian visa. This represents 3 per cent of the initial referrals to JSA. There were 328 776 initial referrals for job seekers identified as being from CALD backgrounds. This represents 19 per cent of the initial referrals to JSA.

At 31 July 2011, 31 158 job seekers on the JSA caseload identified themselves as holding a refugee or humanitarian visa. This represents 4 per cent of the total JSA caseload. 130 158 job seekers on the JSA caseload were identified as being from CALD backgrounds. This represents 18 per cent of the total JSA caseload.

Data on the outcome and planning levels for the Migration Program and Humanitarian Program (since 2004-05) is available on the DIAC website at www.immi.gov.au/media/statistics/statistical-info/visa-grants/migrant.htm and www.immi.gov.au/media/fact-sheets/60refugee.htm.

Question 6 – Growth in independent schools over the past 15 years (page 14)

Answer 6

The Australian Bureau of Statistics (ABS) provides statistics on the growth in numbers and student enrolments for government, Catholic and independent schools in its Schools Australia 4221.0 (2010) publication. This can be found on the ABS website at www.abs.gov.au/ausstats/abs@.nsf/mf/4221.0.

Question 7 – One-off payment of \$6 415 to eligible new arrivals under the English as a Second Language-New Arrivals (ESL-NA) program (page 14)

Answer 7

DEEWR provides funding based on student numbers and does not collect student identifiers. Non-government education authorities confirm student eligibility and submit funding claims to the Australian Government for eligible students in their jurisdiction. There is no national system for tracking individual students who have been provided ESL-NA assistance.

Funding is provided to non-government educational authorities on a one-off per capita basis. Students who transfer between systems would be ineligible for additional funding. Program guidelines specify that ESL-NA funding is a once-only payment on behalf of each eligible student. Non-government educational authorities must follow requirement.

Funding support for ESL students in government schools has been rolled into the National Education Agreement.

About AMES

For nearly 60 years AMES has been assisting new Australians build a better life in Australia through settlement, English language courses, vocational training and employment services.

Today, AMES is Australia's largest provider of Job Services Australia services to multicultural job seekers.

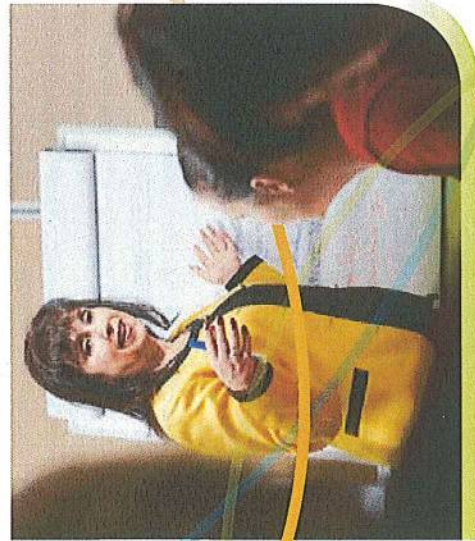
The size of AMES and its multiple services means that it can adapt training programs to suit the needs of clients and more importantly, for industries and individual company needs.

How we deliver our Employment Services

Our clients receive ongoing personalised employment services. These services are sensitive to their circumstances and background and are tailored to their individual needs.

AMES Employment Services delivery is unique because we provide a full range of services for clients, from settlement into new communities to English language learning and employment sourcing and maintenance. AMES also provides in house experts who link all of our services that benefit both employers and employees.

Our staff work with potential employers to understand their future needs and design training modules to ensure we can deliver job specific, job ready staff.



Contacting AMES

To find out more about employment services at AMES call us on 13 26 37 (13AMES), or visit one of our offices.

Metropolitan Melbourne

Box Hill 34 – 36 Prospect Street Box Hill VIC 3128

Broadmeadows Level 3, 1100 Pascoe Vale Road Broadmeadows VIC 3047

Coburg 199 Moreland Road Coburg VIC 3058

Dandenong Level 5, 280 Thomas Street Dandenong VIC 3175

Footscray 289 Barkly Street Footscray VIC 3011

Frankston (SkillsPlus) 31 Playne Street Frankston VIC 3199

Glenroy 812 Pascoe Vale Road Glenroy VIC 3046

Noble Park (SCAAB) 49 Douglas Street Noble Park VIC 3174

Oakleigh (Outreach) 1a Palmerston Grove Oakleigh VIC 3166

Preston 10 Cramer Street Preston VIC 3072

Rosebud (SkillsPlus) 13 Ninth Avenue Rosebud VIC 3939

Springvale Corner of Boutton Street and Springvale Road Springvale VIC 3171

St Albans Shops 9 – 11 Victoria Square St Albans VIC 3021

Sunshine Level 1, 24 Devonshire Road Sunshine VIC 3020

Werribee Suite 14 & 15, Level 2, 75 – 79 Watton Street Werribee VIC 3030

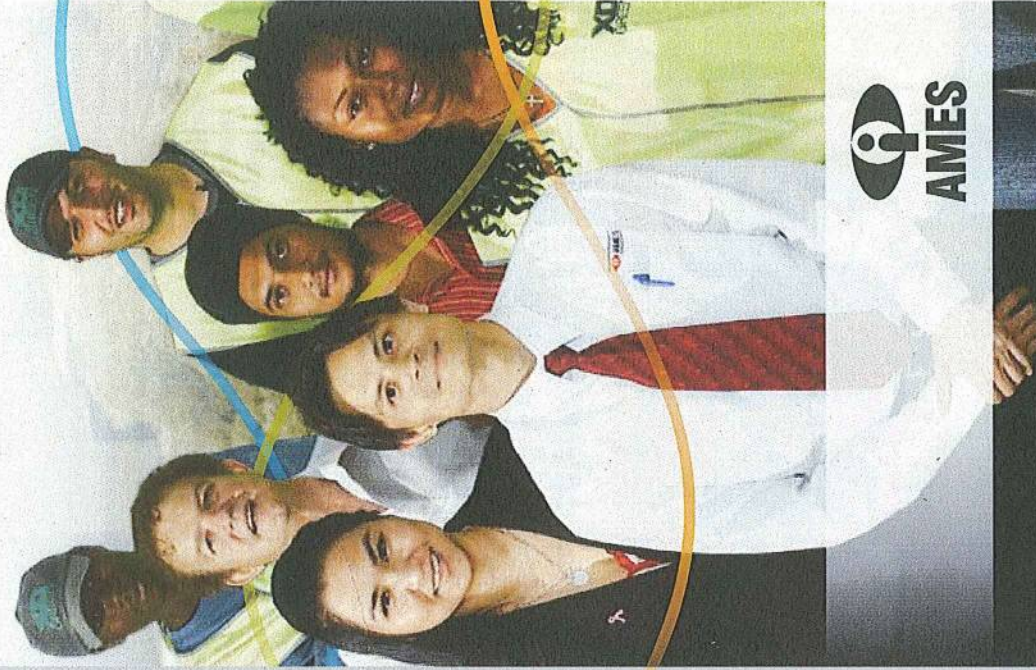
AMES delivers employment services in partnership with SkillsPlus, Springvale Community Aid and Advice Bureau (SCAAB) and Victoria University.



www.ames.net.au

AMES01_03_10

Matching employers with job seekers from all backgrounds.



For employers

If you want carefully chosen, highly motivated staff, talk to AMES whenever you have a vacancy.

Our free recruitment service gives you access to a wide range of job-ready workers. We can also offer wage subsidies and other incentives to eligible employers.

Plus you benefit from the training and qualifications we can provide to your new recruits if you hire through AMES.

Our personalised service covers everything from screening job seekers and providing medical assessments to notifying unsuccessful applicants and giving your new recruit all the assistance detailed on the following pages.

Job-Ready Job-Specific workers can be quickly provided

The employee base that you can access through AMES is not all about basic skills - there are huge numbers of skilled, professional candidates also available. It is a gold mine of opportunity for employers.

AMES can provide you with a skilled, diverse workforce that mirrors your local community and your customer base.

Speak with AMES today about how our tailored recruitment services can help your business grow.

Post placement support

We will stay in contact with the employee and employer for 6 months so we can address any problems either of you may be experiencing. If required, we may offer further training, mentoring or travel assistance and more.



For job seekers

You can get ahead while making a valued contribution to Australia by finding a job that matches your skills and ambitions. Here are just some of the ways we can help you do exactly that:

Employment planning and training

Our dedicated and experienced staff can help you identify your skills and abilities. Our consultants will review your previous experience, training and skills and match them with current vacancies and training opportunities available in the local area.

Updating your skills and qualifications

You could undertake training at AMES, with classroom-style coaching that covers topics such as English in the workplace, hospitality, retail work, warehousing, aged care and job search tips. We can also place you in classes with an alternate accredited training provider.

Resumes, job applications and interview techniques

Our Trainers can guide you on how to write your resumé and application letters, to secure your preferred job. This could be 1-on-1 or in a classroom environment. They can also advise you on what to expect at the interview and how to make a good impression to employers.

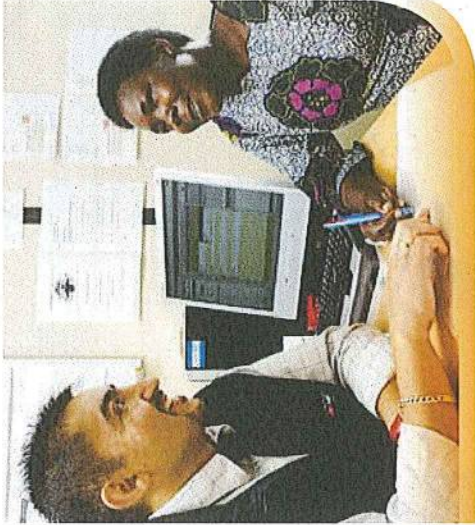
Helping you find the right job!

Contact with local employers

AMES has an up-to-date database of employers and vacancies that are available in your local area. All our offices can also give you access to newspapers, computers, the Internet, printing, faxing, photocopying, postage and more.

Contacting potential employers

Our Recruitment Consultants can identify possible employers based on your resume and call them on your behalf. This is known as 'cold calling' as we call employers even if they haven't advertised a vacancy. We then attempt to negotiate an appropriate position for you.



Training options

Helping you keep the job!

If there is a gap in your skills, we can organise appropriate study at an external training provider, after you have started on the job. For example, if your new job requires Customer Service skills, AMES would organise for an accredited study module in dealing with customers.

Assistance with self-employment, including NEIS

If you want to start your own business, we can help you with business mentoring support including assistance with start up costs such as advertising, insurance, ABN, business registration and so on.

We can also help you access the Australian Government's *New Enterprise Incentive Scheme (NEIS)*.

About AMES

For more than 50 years AMES has been assisting new Australians build a better life in Australia through settlement, English language courses, vocational training and employment services.

Today, AMES is Australia's largest provider of Job Services Australia to multicultural job seekers.

The size of AMES and its multiple services means that it can adapt training programs to suit the needs of clients and more importantly, for industries and individual company needs.

Job-Ready Job-Specific workers can be quickly provided.

The employee base that you can access through AMES is not all about basic skills - there are huge numbers of skilled, professional candidates also available. It is a gold mine of opportunity for employers.

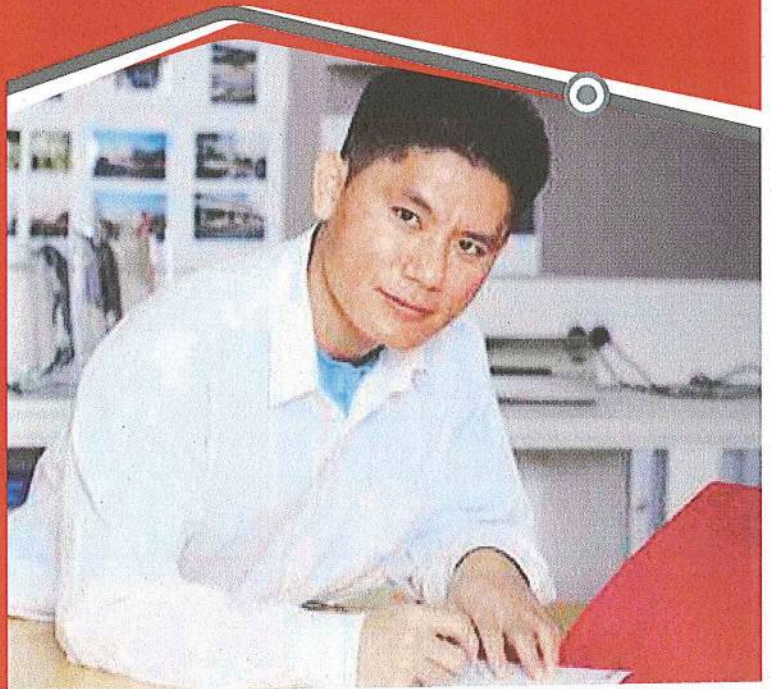
AMES can provide you with a skilled, diverse workforce that mirrors your local community and your customer base.

Speak with AMES today about how our tailored recruitment services can help your business grow.

For further details please contact **13AMES** or visit our website on www.ames.net.au

The right staff for the right jobs!

Free Tailored Recruitment Service



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We can help you find the right staff

AMES works with you in determining your needs and expectations, finding the right person for you, and the service is free!

Free Tailored Recruitment Service

- Pre-screening
- Reference checks
- Short listing
- Database of employees
- Small, medium and large account management

Value Added Service

- Training and re-skilling
- Work trials and wage subsidies
- Workplace modifications
- Assistance with ongoing and long term recruitment needs

Workplace Support

- Assisting with smooth transition
- Ongoing post placement support
- Mentoring services
- Other negotiated services

AMES Employment Site Locations

Box Hill

34-36 Prospect Street, Box Hill, Victoria 3128

Broadmeadows

Level 3, 1100 Pascoe Vale Road,
Broadmeadows, Victoria 3047

Coburg

199 Moreland Road, Coburg, Victoria 3058

Dandenong

Level 5, 280 Thomas Street, Dandenong, Victoria 3175

Footscray

289 Barkly Street, Footscray, Victoria 3011

Frankston (SkillsPlus)

31 Playne Street, Frankston, Victoria

Glenroy

812 Pascoe Vale Road, Glenroy, Victoria 3046

Noble Park (SCAAB)

49 Douglas Street, Noble Park, Victoria 3174

Oakleigh (Outreach)

1A Palmerston Grove, Oakleigh, Victoria 3166

Preston

10 Cramer Street, Preston, Victoria 3072

Rosebud (SkillsPlus)

13 Ninth Avenue, Rosebud, Victoria 3939

Springvale

Corner of Boulton Street and Springvale Road,
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St Albans

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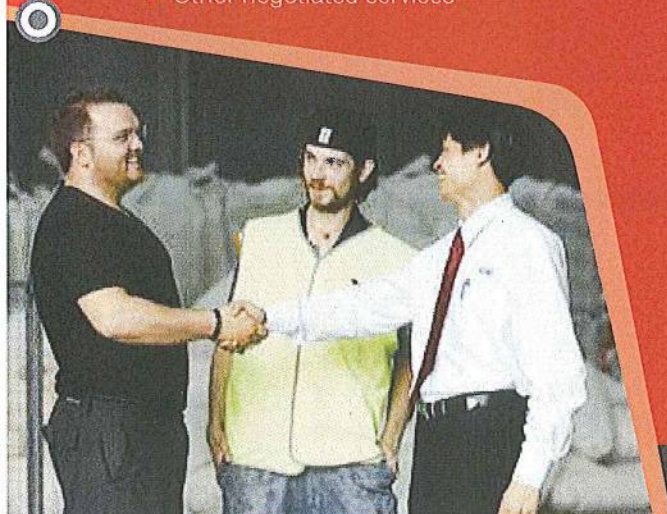
Sunshine

Level 1, 24 Devonshire Road, Sunshine, Victoria 3020

Werribee

Suite 14 & 15, Level 2, 75-79 Watton Street,
Werribee, Victoria 3030

AMES delivers the employment services in partnership with SkillsPlus, Springvale Community Aid and Advice Bureau (SCAAB) and Victoria University.



Memorandum of Understanding

In relation to

The sharing and integration of data from the Settlement Database, the Settlement Outcomes of New Arrivals Study, the Research Evaluation Database, and other relevant databases

between

The Commonwealth of Australia, as represented by the Department of Immigration and Citizenship

and

The Commonwealth of Australia, as represented by the Department of Education, Employment and Workplace Relations

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Recitals:

- A. The Department of Immigration and Citizenship (DIAC) and the Department of Education, Employment and Workplace Relations (DEEWR) have agreed to enter into an arrangement to share and integrate Data, including Identifier Data where required and legal obligations regarding privacy and confidentiality are maintained; collected and held in a number of databases specified at clause 2.2 of this MOU.
- B. DIAC and DEEWR have agreed to implement the data sharing and integration arrangement on the terms and conditions of this MOU.
- C. DEEWR has legal obligations with respect to Personal Information (under *the Privacy Act 1988*) and Protected Information (under *the Social Security Administration Act 1999*) and any sharing arrangements will need to meet these obligations. Each project proposal will be required to consider these obligations and ensure they will be met.

About the Parties

1. Legislation

- 1.1 DIAC and DEEWR are responsible for administering and ensuring compliance with the legislation at Appendix A.

About this MOU

2. Purpose of this MOU

- 2.1 The purpose of this MOU is to provide a protocol for the Parties to achieve two (2) outcomes stated under the Terms of Reference for the Inter-Departmental Working Group (IWG) on Improving Education and Employment Outcomes for Refugees and Migrants, established in 2010. Specifically, these two (2) outcomes are:
 - (a) **Outcome 2:** Develop the evidence base on education and labour force outcomes (and any relevant related outcomes) of refugees and vulnerable migrants, including through the implementation of cross-portfolio research projects.
 - (b) **Outcome 4:** Enhance policy and program development by implementing cross-portfolio protocols for regular sharing of information and data.
- 2.2 It is expected that the Parties can achieve Outcomes 2 and 4 by exchanging and integrating Data, including Identifier Data (see clause 5.1 for definition) where required and legal obligations regarding privacy and confidentiality are maintained, held by DIAC and DEEWR on a number of databases including:
 - (a) DIAC's Settlement Database (SDB),
 - (b) DIAC's Settlement Outcomes of New Arrivals study (SONA),

- (c) DEEWR's Research Evaluation Database (RED) (NB: access to the full RED database will require both DEEWR and FaHCSIA to agree to the release of data under relevant legislation),
 - (c) DEEWR's Employment Business Intelligence Warehouse (EBIW), and
 - (e) other relevant databases held by either DIAC or DEEWR which may be identified during the course of work undertaken as part of this MOU and are agreed by the Parties to be in scope of this MOU.
- 2.3 The common provisions for this MOU, including details of client Data holdings, governance arrangements for integrating Data and arrangements for the integration and access of Data, are specified in Schedule 1.
- 2.4 In 2010, Australian Government Portfolio Secretaries on the Cross Portfolio Statistical Integration Committee (CPSIC) endorsed the documents: "High Level Principles for Data Integration Involving Commonwealth Data for Statistical and Research Purposes" (the Principles) and "Data Integration Involving Commonwealth Data for Statistical and Research Purposes: Governance and Institutional Arrangements" (the Arrangements). The DIAC and DEEWR Secretaries are members of CPSIC. The Principles and the Arrangements are specified in Schedule 2.
- 2.5 The Terms of Reference for the IWG on Improving Education and Employment Outcomes for Refugees and Migrants, established in 2010, are specified in Schedule 3.

3. Status of this MOU

- 3.1 This MOU is a voluntary statement of the intention of the Parties at the time of signing this MOU, and is not intended to create, and does not create, any legally binding obligations between the Parties, nor is this MOU enforceable in any court or tribunal.
- 3.2 Nothing in this MOU will affect the statutory duties or obligations of the Parties. Any ambiguity or uncertainty arising out of this MOU is to be resolved in a way that is consistent with the relevant legislation or any other laws. Legislation and other laws, as amended from time to time, take precedence over this MOU, to the extent of any inconsistency.

4. Implementation Arrangements

- 4.1 This MOU contains the entire agreement between the Parties and replaces all previous agreements, whether oral or in writing, with respect to the subject matter of this MOU.

4.2 The Parties agree to implement this arrangement in accordance with the terms and conditions of this MOU.

Interpretation

5. Definitions

5.1 In this MOU, unless a contrary intention appears:

Background Intellectual Property	means Intellectual Property that: a. is in existence at the commencement date or is subsequently brought into existence other than as a result of the performance of the MOU; and b. is embodied in, or attaches to, Material or is otherwise necessarily related to the functioning or operation of Material.
Commonwealth	means the Commonwealth of Australia

<p>Confidential Information</p>	<p>means information relating to the business, affairs or clients of a Party which is confidential in nature and the other Party knows (or should reasonably know) is confidential</p> <p>Confidential Information may include:</p> <ul style="list-style-type: none"> • ‘Personal Information’ for the purposes of the <i>Privacy Act 1988 (Cth)</i>; • ‘Protected Information’ for the purposes of the <i>Social Security (Administration) Act 1999</i> and the <i>A New Tax System (Family Assistance) (Administration) Act 1999</i>; • ‘Identifying Information’ for the purposes of section 336E of the <i>Migration Act 1958 (Cth)</i>; • information which is part of ‘the Movement Records’ for the purposes of section 488 of the <i>Migration Act 1958 (Cth)</i>; • any other provisions in a Party’s Legislation, as specified in clauses 1.1, 1.2 and 1.3 of this MOU relating to the handling of information; • information that is specifically identified as confidential; • is commercially sensitive to a Party; and • information of which disclosure would cause unreasonable detriment to the owner of the confidential information <p>Confidential information does not include information which becomes public knowledge otherwise than through the other Party’s fault or negligence</p>
<p>Custodian</p>	<p>means the agency responsible for the source Data of the relevant database specified in clause 2.2 of this MOU</p>
<p>DAISES</p>	<p>means Dynamics of Australians on Income Support and Employment Services (DAISES) database</p>

Data	means any data in the databases identified at clause 2.3 of this MOU, and includes Identifier Data and De-identified Data
DEEWR	means the Department of Education, Employment and Workplace Relations
De-identified Data	means Data that does not identify a person
DIAC	means the Department of Immigration and Citizenship
EBIW	means Employment Business Intelligence Warehouse
FaHCSIA	means Department of Families, Housing, Community Services and Indigenous Affairs
Identifier Data	means Data that identifies a person including, but not limited to, a name and address
Information Privacy Principles	means the information privacy principles set out in section 14 of <i>The Privacy Act 1988</i>
Integrated Datasets	means sets of Data that has been integrated using a combination of datasets specified in clause 2.2
Integrating Authority	means the Party responsible for integrating Data held by both Parties, as defined by each research project. The Integrating Authority will adhere to the common provisions detailed in Schedule 1 and the Principles and Arrangements detailed in Schedule 2
Intellectual Property	means all rights and interests arising from intellectual activity in the scientific, literary, artistic and industrial fields, including those in the nature of copyright, patents, designs, trade and service marks, and trade and business names, whatever they are called and wherever and however they arise
IWG	means the Inter-Departmental Working Group on Improving Education and Employment Outcomes for Refugees and Migrants
Material	includes, but is not limited to, documents, equipment, information, property and Data stored by any means

Minister for DIAC	means Minister responsible for the Immigration and Citizenship Portfolio
Ministers for DEEWR	means Minister responsible for Tertiary Education, Skills, Jobs and Workplace Relations; Minister responsible for School Education, Early Childhood and Youth; Minister responsible for Employment Participation and Child Care; and Minister responsible for Indigenous Employment and Economic Development
MOU	means this Memorandum of Understanding, including any attachments, annexure, schedules or other documents expressly incorporated
MOU Manager	means the person responsible for the administration of this MOU on behalf of a Party
Personal Information	has the same meaning as outlined in section 6 of the <i>Privacy Act 1988 (Cth)</i>
Protected Information	has the same meaning as outlined in subsection 23(1) of the <i>Social Security Act 1991 (Cth)</i> and subsection 3(1) of the <i>A New Tax System (Family Assistance) (Administration) Act 1999 (Cth)</i> .
RED	means Research Evaluation Database
SDB	means Settlement Database
SONA	means Settlement Outcomes of New Arrivals study
Terms of Reference	means the Terms of Reference for the Inter-Departmental Working Group on Improving Education and Employment Outcomes for Refugees and Migrants, established in 2010, as specified in Schedule 3
VETSS	means Vocational Education and Training Shared Services

6. Interpretation

6.1 In this MOU:

- (a) Words importing a gender include any other gender.

- (b) Words in the singular number include the plural and words in the plural number include the singular.
- (c) Paragraph headings in this MOU are for convenient reference only and have no effect in limiting or extending the language of the provisions to which they refer.
- (d) In the event of any conflict between the paragraphs of the MOU and any part of schedules the paragraphs of the MOU will take precedence.

Operative Provisions

7. Term

- 7.1 This MOU is deemed to have commenced on the date it is signed by the DIAC and DEEWR Deputy Secretaries, and will remain in effect for a three (3) year period, or until the dissolution of the IWG, or otherwise terminated in accordance with clause 9.

8. Variation

- 8.1 This MOU may only be varied by agreement of the MOU Managers in writing.
- 8.2 The date of effect of the variation will be the date on which the written agreement is last signed or such other later date as is arranged by the Parties.

9. Termination

- 9.1 This MOU may be terminated by:
- 9.1.1 either Party by notice in writing provided to the other Party as soon as practicably possible, but no later than 30 working days from the date that it is signed; or
 - 9.1.2 by the agreement of both Parties.
- 9.2 Where this MOU is terminated, the Parties are to take all reasonable steps to mitigate the impact of the termination, including the following:
- (a) each Party will return to the other Party any Materials obtained from the other Party in connection with this MOU, unless the Parties otherwise agree in writing;
 - (b) unless otherwise agreed between the Parties, each Party must stop work on the matters described in Schedule 1; and
 - (c) each Party will take all available steps to minimise any loss that results from the termination of this MOU.

10. MOU Managers

10.1 The MOU Managers are responsible for liaising on arrangements for the exchange of Data between the Parties.

10.2 DIAC's MOU Manager is:

Director
CSM Research, Evaluation and Planning Section
Department of Immigration and Citizenship
6 Chan Street
Belconnen ACT 2615

Telephone: (02) 6198 7217
Facsimile: (02) 6198 7208

10.3 DEEWR's MOU Manager is:

Director
Homelessness and CALD Policy,
Department of Education, Employment and Workplace Relations
50 Marcus Clarke St
Canberra ACT 2601

Telephone: (02) 6240 7086
Facsimile: (02) 6276 9786

10.4 The Parties agree to promptly advise the other Party of any change in the identity or contact details of the MOU Manager (or any person acting on behalf of the MOU Manager).

Handling of Material and Personal Information and Protected Information

11. Intellectual Property

11.1 Intellectual Property in Material brought into existence by or on behalf of the Parties in connection with this MOU will be owned by, and held by, the Party primarily responsible for bringing it into existence for the Commonwealth, unless otherwise provided for in this MOU.

11.2 Where a Party enters into a separate agreement with an external party, including a non-Commonwealth agency, to commission research in connection with this MOU, the Party must ensure that it retains the Intellectual Property rights for all Material brought into existence in connection with this MOU.

- 11.3 Nothing in this clause affects the ownership of Intellectual Property in any Background Intellectual Property.

12. Use of Material

- 12.1 Each Party will ensure any Material of the other Party in its possession or control is used, copied, supplied, modified or reproduced only for the purpose for which the Material has been provided and in accordance with this MOU.

13. Disclosure of Material

- 13.1 A Party may only disclose to a third party the particulars of this MOU or Material of the other Party, if that disclosure:
- (a) is made to its responsible Minister or in response to requests for information from Parliamentary committees or inquiries;
 - (b) is made with the prior written approval of the other Party, and in accordance with any requirements of the other Party providing that approval;
 - (c) is required by law;
 - (d) is in accordance with the High Level Principles for Integrating Commonwealth Data for Statistical Research Purposes; or
 - (e) is in accordance with any applicable government direction or policy, and does not breach any law, including the *Privacy Act 1988 (Cth)* or the confidentiality provisions in the *Social Security (Administration) Act 1999* and the *A New Tax System (Family Assistance (Administration) Act 1999*.
- 13.2 For the purposes of producing and disclosing research reports in connection with this MOU, the Parties will only produce and disclose reports containing De-Identified Data. Reports will only be disclosed on agreement of the IWG.
- 13.3 Subject to clause 13.1, the Parties agree that all the Material covered by this MOU is confidential and that, subject to law, neither Party will disclose any Material for a purpose other than that specified in this MOU.
- 13.4 If either Party to this MOU receives a request from an organisation that is not a Party to this MOU for access to Data it received from the other Party, then the Party that received the request will ensure that the request is re-directed to the Party that originally held or collected the information.

14. Return of Material

- 14.1 Subject to clause 9.2(a), each Party will return to the other Party any Materials obtained from the other Party on the expiration or termination of this MOU. In addition, on expiration or termination of this MOU, any Data or Materials, other than reports produced under this MOU, obtained from the other Party will be removed from each Party's data storage systems.

15. Privacy

- 15.1 The Parties agree to comply with the *Privacy Act 1988 (Cth)* and the confidentiality provisions in the *Social Security (Administration) Act 1999* and the *A New Tax System (Family Assistance) (Administration) Act 1999*.
- 15.2 If a Party receives a complaint alleging an interference with the privacy of an individual by the other Party arising out of the operations of this MOU:
- (a) the Party receiving that complaint will immediately notify the other of the nature of that complaint and such details of that complaint as are necessary to minimise any (or further) interference; and
 - (b) each Party is to keep the other informed as to the progress of that complaint as it relates to the other's actions in connection with that allegation of interference.
- 15.3 If the Privacy Commissioner directs a Party to take particular action concerning the handling of Personal Information, the other Party will cooperate with any reasonable request of that Party to enable the Party to comply with the Privacy Commissioner's direction.

16. Security of Information

- 16.1 Each Party will ensure that information or Material received from the other Party under this MOU will be kept secure and will be protected by such security safeguards as is reasonable to prevent loss, unauthorised access, unauthorised use, modification, disclosure or other misuse, including unauthorised reproduction by any means.
- 16.2 Each Party agrees to comply with relevant Commonwealth government policy guidelines regarding the use and release of information, including, but not limited to:
- (a) the *Australian Government Protective Security Policy Framework*;
 - (b) the *Australian Government Information and Communications Technology Security Manual* (the ACSI 33); and
 - (c) the *Australian Government High Level Principles for Integrating Commonwealth Data for Statistical Research Purposes*.

General Requirements

17. Dispute resolution

17.1 If any dispute or issue arises between the Parties in relation to this MOU the Parties will endeavour in good faith to resolve the issue reasonably, expeditiously and amicably, using the following procedures:

- (a) the Parties will seek to negotiate a resolution to the dispute at the operational level;
- (b) if negotiations at the operational level fail to resolve the dispute or issue, the MOU Managers will seek to negotiate a resolution to the dispute;
- (c) if negotiations between the MOU Managers fail to resolve the dispute or issue, the Secretary of DIAC and the Secretary of DEEWR, or persons on their behalf, will seek to negotiate a resolution to the dispute.

17.2 Each Party will continue to meet their undertakings under this MOU until the dispute or issue is resolved.

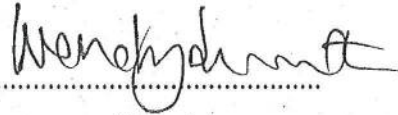
Appendix A

DIAC is responsible for administering and ensuring compliance with the *Aliens Act Repeal Act 1984*, *Australian Citizenship Act 2007*, *Australian Citizenship Act (Transitionals and Consequential) Act 2007*, *Immigration (Education) Act 1971*, *Immigration (Education) Charge Act 1992*, *Immigration (Guardianship of Children) Act 1946*, *Migration Act 1958*, *Migration Agents Registration Application Charge Act 1997*, *Migration (Health Services) Charge Act 1991*, *Migration (Sponsorship Fees) Act 2007* and the *Migration (Visa Application) Charge Act 1997* and associated Regulations. DIAC is committed to enriching Australia through the well-managed entry and settlement of people into Australia.

DEEWR is responsible for administering and ensuring compliance with the *A New Tax System (Family Assistance) Act 1999*, insofar as it relates to child care benefit, child care rebate, child care services and registered carers, *A New Tax System (Family Assistance and Related Measures) Act 2000*, insofar as it relates to child care benefit, child care rebate, child care services and registered carers, *Air Passenger Ticket Levy (Collection) Act 2001*, except to the extent administered by the Minister for Infrastructure and Transport, *Asbestos-Related Claims (Management of Commonwealth Liabilities) Act 2005*, *Asbestos-Related Claims (Management of Commonwealth Liabilities) (Consequential and Transitional Provisions) Act 2005*, *Australian Curriculum, Assessment and Reporting Authority Act 2008*, *Australian National University Act 1991*, *Australian Technical Colleges (Flexibility in Achieving Australia's Skills Needs) Act 2005*, *Australian Workplace Safety Standards Act 2005*, *Builders Labourers' Federation (Cancellation of Registration) Act 1986*, *Builders Labourers' Federation (Cancellation of Registration - Consequential Provisions) Act 1986*, *Building and Construction Industry Improvement Act 2005*, *Building and Construction Industry Improvement (Consequential and Transitional) Act 2005*, *Building Industry Act 1985*, *Child Care Act 1972*, *Child Support Legislation Amendment (Reform of the Child Support Scheme – New Formula and Other Measures) Act 2006*, insofar as it relates to child care benefit, child care rebate, child care services and registered carers, *Coal Mining Industry (Long Service Leave Funding) Act 1992*, *Coal Mining Industry (Long Service Leave) Payroll Levy Collection Act 1992*, *Coal Mining Industry (Long Service Leave) Payroll Levy Act 1992*, *Construction Industry Reform and Development Act 1992*, *Disability Services Act 1986*, insofar as it relates to disability employment and related services and Part III, *Education Services for Overseas Students Act 2000*, *Education Services for Overseas Students (Assurance Fund Contributions) Act 2000*, *Education Services for Overseas Students (Consequential and Transitional) Act 2000*, *Education Services for Overseas Students (Registration Charges) Act 1997*, *Fair Work Act 2009*, except to the extent administered by the Attorney-General, *Fair Work (Registered Organisations) Act 2009*, except to the extent administered by the Attorney-General, *Fair Work (State Referral and Consequential and Other Amendments) Act 2009*, *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009*, *Family Assistance Legislation Amendment (Child Care Management System and Other Measures) Act 2007*, *Higher Education Endowment Fund (Consequential Amendments) Act 2007*, *Higher Education Funding Act 1988*, *Higher Education Support Act 2003*, except to the extent administered by the Minister for Innovation, Industry, Science and Research, *Higher Education Support (Transitional Provisions*

and Consequential Amendments) Act 2003, Household Stimulus Package Act (No. 2) 2009, Schedule 4 insofar as it relates to legislation administered by the Minister for Tertiary Education, Skills, Jobs and Workplace Relations or the Minister for School Education, Early Childhood and Youth, Independent Schools (Loans Guarantee) Act 1969, Indigenous Education (Targeted Assistance) Act 2000, International Labour Organisation (Compliance with Conventions) Act 1992, International Labour Organisation Acts, Mutual Recognition Act 1992, Part 3, National Workplace Relations Consultative Council Act 2002, Non-government Schools (Loans Guarantee) Act 1977, Occupational Health and Safety Act 1991, Occupational Health and Safety (Maritime Industry) Act 1993, Safe Work Australia Act 2008, Safe Work Australia (Consequential and Transitional Provisions) Act 2008, Safety, Rehabilitation and Compensation Act 1988, except to the extent administered by the Minister for Veterans' Affairs, Schools Assistance Act 2008, Schools Assistance (Learning Together – Achievement Through Choice and Opportunity) Act 2004, Seafarers Rehabilitation and Compensation Act 1992, Seafarers Rehabilitation and Compensation Levy Act 1992, Seafarers Rehabilitation and Compensation Levy Collection Act 1992, Seafarers Rehabilitation and Compensation (Transitional Provisions and Consequential Amendments) Act 1992, Skilling Australia's Workforce Act 2005, Skilling Australia's Workforce (Repeal and Transitional Provisions) Act 2005, Skills Australia Act 2008, Social Security Act 1991, insofar as it relates to Austudy, Mature Age Allowance, Newstart Allowance, Sickness Allowance, Mobility Allowance, Parenting Payment, Widow Allowance, Partner Allowance and Youth Allowance and any other payment, allowance or supplement insofar as that payment, allowance or supplement relates to persons receiving Austudy, Mature Age Allowance, Newstart Allowance, Sickness Allowance, Mobility Allowance, Parenting Payment, Widow Allowance or Partner Allowance and Youth Allowance, Social Security (Administration) Act 1999, insofar as it relates to Austudy, Mature Age Allowance, Newstart Allowance, Sickness Allowance, Mobility Allowance, Parenting Payment, Widow Allowance, Partner Allowance and Youth Allowance and any other payment, allowance or supplement insofar as that payment, allowance or supplement relates to persons receiving Austudy, Mature Age Allowance, Newstart Allowance, Sickness Allowance, Mobility Allowance, Parenting Payment, Widow Allowance or Partner Allowance and Youth Allowance, Social Security and Other Legislation Amendment (Economic Security Strategy) Act 2008, Schedule 4 insofar as it relates to legislation administered by the Minister for Tertiary Education, Skills, Jobs and Workplace Relations or the Minister for School Education, Early Childhood and Youth, Social Security and Veterans' Entitlements Legislation Amendment (One-off Payments and Other Budget Measures) Act 2008, Item 1 of Schedule 2 insofar as it relates to legislation administered by the Minister for Tertiary Education, Skills, Jobs and Workplace Relations or the Minister for School Education, Early Childhood and Youth, Student Assistance Act 1973, Tradespersons' Rights Regulation Act 1946, Trans-Tasman Mutual Recognition Act 1997, in relation to occupational provisions, United States Naval Communication Station (Civilian Employees) Acts.

SIGNED for and on behalf of)
The Commonwealth Department of)
Immigration and Citizenship)
by Wendy Southern PSM)
Deputy Secretary)

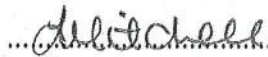


Signed

4/7/11

Date

In the Presence of:

.....[WITNESS' SIGNATURE]

LAURA MITCHELL.....[PRINTED NAME OF WITNESS]

SIGNED for and on behalf of)
The Commonwealth Department of)
Education, Employment and)
Workplace Relations)
by John Kovacic)
Deputy Secretary)




Signed

1 July 2011

Date

In the Presence of:

.....[WITNESS' SIGNATURE]

Annie Hunscombe.....[PRINTED NAME OF WITNESS]

SCHEDULE 1

COMMON PROVISIONS

This Schedule 1 defines the common provisions for the implementation of Commonwealth Data sharing and integration arrangements specified in the MOU.

The Parties to this MOU hold Data that when shared and integrated can be used for research purposes pursuant to the IWG Terms of Reference at Schedule 3.

1. Client data holdings

Data held by the Parties may be contained in the following administrative databases and/or survey collections. Other databases may be added by the Parties if required.

1.1 Department of Immigration and Citizenship databases

Settlement Database (SDB)

The SDB brings together client information collected through DIAC's onshore and offshore visa processing systems and information provided by new arrivals in the Settlement Information Form. Geographic location data is updated when a client enrolls for services such as the Adult Migrant English Program or Medicare.

Data held in the SDB includes: client identifiers (visa grant number, age, gender, ethnicity, visa subclass), native language and English proficiency, family composition and date of arrival in Australia.

Settlement Outcomes of New Arrivals (SONA)

The SONA was a study conducted in 2009-10 on settlement outcomes of new migrants. A self-completion survey was sent to just over 20,000 Humanitarian (60%), Family (20%) and Skilled (20%) entrants. More than 8,500 people with 12-60 months experience of living in Australia responded.

Information captured through this study includes: client identifiers (age, gender, ethnicity, visa subclass), educational qualifications, native language and English literacy, financial information (reliance on income support) and take up of commonwealth funded programs and services.

1.2 Department of Education, Employment and Workplace Relations database

Research and Evaluation Database (RED)

The Research and Evaluation Database (RED) has historically contained the full benefit history of all income support customers who were on a working age income support payment for at least one day since 1 July 1998 (excluding DVA Pensions). However, recent development of the database has now expanded RED to include details of some non-income support beneficiaries, including Carer's Allowance, Family Tax Benefit (FTB), and Low Income Card (LIC) recipients.

The information contained in RED is collected from both Centrelink's Income Security Integrated System (ISIS) data and existing DEEWR Employment Services System (ESS) data, also known as the Integrated Employment System (IES). The data stored in RED records income support and non-income support benefits and services, income and other circumstances, and partner and children data for the RED population. Information held in RED includes: client identifiers (visa grant number, age, gender, ethnicity).

Employment Business Intelligence Warehouse (EBIW)

The Employment Business Intelligence Warehouse (EBIW) contains DEEWR employment data from multiple DEEWR Employment Applications and contains specific employment-related Income Support information, including the DEEWR BlueBook dataset. The EBIW delivers employment information through a dimensional data model, Business Ready Data Structures and reports to support the employment aspects of the DEEWR Strategic Plan.

DEEWR Data will be limited to existing Data collections and will be made within the limits of existing IT infrastructure.

2. Governance for integrating Data

The Parties have established that it is possible to share and integrate datasets through the use of common identifiers of individuals.

The parties note that there are three (3) guides on Data sharing in effect at time of enacting this MOU: 'A Good Practice Guide to Sharing Your Data with Others' in November 2009, produced by the Australian Bureau of Statistics and the National Statistical Service; 'High Level Principles for Integrating Commonwealth Data for Statistical Research Purposes' ('the principles') and the 'Proposed governance and institutional arrangements to support data integration involving Commonwealth data for statistical and research purposes', ('the arrangements') both endorsed by the Australian Government Portfolio Secretaries. The principles and arrangements form Schedule 2 of this MOU.

The Parties will apply the following framework, in accordance with the above guides, to establish a governance process for IWG research projects involving Data sharing and integration:

- i. Under its Terms of Reference, the IWG may undertake research projects, some of which may involve the sharing and integrating of Data between the Parties to the MOU;

- ii. Any project which involves the sharing and integration of Data from the SDB and RED, and other datasets, will need to be endorsed by the IWG;
- iii. Project proposals for research projects need to be endorsed by the IWG before Data sharing and integration can proceed; and
- iv. Final reports for research projects will be endorsed by the IWG to ensure appropriate use and interpretation of the Data.
- v. Before sharing and integration of Data proceeds, the custodian is responsible for changing Identifier Data to De-Identified Data. The custodian must refer to paragraph 11.2 of the National Statistical Services Handbook for guidelines on how to de-identify Data. No party external to the MOU will be provided with Identifier Data. Any use and disclosure of De-Identified Material, including Data and analysis, must be in accordance with Sections 12, 13 and 14 of the MOU;
- vi. Data sharing and integration will only be used for statistical and research purposes;
- vii. Research projects that involve sharing and integrating of Data between Parties will nominate the datasets, data fields, and the Integrating Authority in the research project proposal. An example of a research project proposal is shown below (see 3.iv);

3. Arrangements for the integration and access of Data

- i. The Integrating Authority is responsible for Data security and Data access of integrated datasets, including the provision of integrated datasets to any third party;
- ii. The Integrating Authority is responsible for the destruction of integrated datasets upon project completion, or if integrated datasets are retained, the Integrating Authority must provide reasons for the retention of Data to the IWG for approval;
- iii. Data sharing and exchange under the MOU underpins three research project proposals under the IWG on Vulnerable Migrants. These research projects are:
 - a. Measuring the incidence of take-up in government services and factors associated with its persistence/withdrawal;
 - b. Quantifying the impact of the provision of government services on the employment status of refugees and other vulnerable migrants; and
 - c. A comparison of post-program outcomes of refugees and other vulnerable migrants against other groups;
- iv. Further projects may be developed to meet the Terms of Reference for the IWG which require Data sharing and integration.
- v. An example of a research project proposal is at Annexure A:

Project Proposal #X

Project title:

Cost centre:

Budget:

Due date:

Integrating Authority:

Project Manager:

Stakeholders: Primary:
 Secondary:

Brief statement of project purpose

1. Background

2. Questions or issues to be addressed

3. Target audience

4. Methodology

- **Data Sets identified:**
- **Data fields identified:**

5. Staffing

Role	Project Personnel	Estimated no. of days
<i>Project Manager</i>		
<i>Tender Manager</i>		
<i>Project Researcher</i>		

6. Timetable and key milestones

Stage	Key tasks	Timeline
-------	-----------	----------

7. Budget allocation

Stage	Sub-contractors	Travel, accomm and per diem	Other eg. data costs	TOTAL
-------	-----------------	-----------------------------	----------------------	-------

TOTAL

8. Risk management plan

Potential risks	Impact on project (high/medium/low)	Strategy for addressing	Risk after Mitigation
-----------------	-------------------------------------	-------------------------	-----------------------

9. Privacy and confidentiality obligations met

Integrating Authority Sign-off:

IWG on Vulnerable Migrants Sign-off:

SCHEDULE 2

This schedule outlines the set of high level principles and the proposed governance and institutional arrangements that were endorsed by the Secretaries Board for the integration of Commonwealth Data for statistical and research purposes.

The MOU Managers are responsible for ensuring the requirements of Schedule 2 are adhered to.

About CPSIC

Australian Government Portfolio Secretaries have established a Cross Portfolio Statistical Integration Committee (CPSIC), jointly chaired by DoHA and ABS, to create an Australian government approach to facilitate linkage of social, economic and environmental data for statistical and research purposes.

Cross Portfolio Statistical Integration Committee members are: Attorney-General's Department, Australian Bureau of Agricultural Resource Economics, Australian Bureau of Statistics, Australian Public Service Commission, Department of Broadband, Communications and the Digital Economy, Department of Defence, Department of Health and Ageing, Department of Education, Employment and Workplace Relations, Department of the Environment, Water, Heritage and the Arts, Department of Finance and Deregulation, Department of Foreign Affairs and Trade, Department of Human Services, Department of Immigration and Citizenship, Department of Innovation, Industry, Science and Research, Department of Infrastructure, Regional Development and Local Government, Department of Families, Housing, Community Services and Indigenous Affairs, Department of the Prime Minister and Cabinet, Department of Resources, Energy and Tourism, Department of the Treasury and the Department of Veteran's Affairs.

Statistical Integration – why?

Statistical data integration involves integrating unit record data from different administrative and/or survey sources to provide new datasets for statistical and research purposes. The approach leverages more information from the combination of individual datasets than is available from the individual datasets taken separately. Statistical integration aims to maximise the potential statistical value of existing and new datasets, to improve community health, as well as social and economic wellbeing by integrating data across multiple sources and by working with governments, the community and researchers to build a safe and effective environment for statistical data integration activities.

Integrated datasets provide public benefits in terms of improved research, supporting good government policy making, program management and service delivery. Integrated datasets also create an important opportunity to expand the range of official statistics to better inform Australian society.





1

PRINCIPLE ONE – Strategic Resource

Responsible agencies should treat data as a strategic resource and design and manage administrative data to support their wider statistical and research use.

This principle aims to maximise statistical and research use of existing and new Commonwealth data sets.

Administrative data represent a public asset that requires protection and management for appropriate purposes. When designing and managing administrative datasets, the responsible agency should consider the potential statistical value of the datasets for public good, both in terms of use by their own agency, and use more broadly.

Administrative data cannot be used for statistical purposes if this contravenes legislation or any commitment made to data providers, or the data is commercial in confidence. Nor should it be used for statistical purposes if this use clearly threatens the integrity of the administrative data.

Where administrative data is likely to have high public value for statistical use, those providing data should be informed of the potential for statistical use at the time of data collection. Where historical data has been collected without providing this information it should still be considered for statistical use, but not if this is prohibited by commitments made to providers at the time of collection.

Where administrative data is likely to have value for statistical use, efforts should be made to maximise that value through good data management, including the use of standard definitions and classifications and the maintenance of appropriate metadata, including quality attributes of the data.

Where data is sought for statistical purposes, consideration should be given to using existing administrative sources in preference to imposing additional load on providers through the institution of a new statistical collection.

The statistical and research value of administrative data should be maximised, within legal and practical constraints, by granting broad access for research purposes to data that is not likely to enable identification. Commonwealth administrative data should not generally be withheld from research for reasons of Intellectual Property.

PRINCIPLE TWO – Custodian's Accountability

Agencies responsible for source data used in statistical data integration remain individually accountable for their security and confidentiality.

This principle ensures that data custodians recognise their continued accountability for their data within integrated datasets and establish adequate controls over the use of personal or other sensitive data in data integration projects.

Each responsible agency for source data:

- must agree mechanisms to achieve adequate control and manage risk appropriate to their own situation. These mechanisms may include the use of particular institutional arrangements with trusted institutions, the use of specified standards and audits against those standards, and the potential application of sanctions.
- will need to agree the nature of valid uses that can be made of the integrated datasets and the approval mechanism to be applied to applications to use the datasets, as well as any control mechanisms to be applied to such use.
- will need to manage the potential increase in identifiability of data for which they are responsible when it is used in conjunction with data from other sources. It will need to agree mechanisms by which it can assure itself that outputs from the statistical data integration are not likely to enable the identification of individuals or businesses.
- will need to agree the final content of any new data integration proposal, or any material change to an existing data integration proposal as part of the approval process. They must be kept informed of, and agree, more minor proposed changes to existing proposals.

Where an agency does not agree to the use of its source data in a statistical integration proposal, that data will not be included. For example this might occur if the proposal threatens the integrity of the administrative data.

PRINCIPLE THREE – Integrator's Accountability

A responsible 'integrating authority' will be nominated for each statistical data integration proposal.

This principle sets out the responsibilities of integrating authorities to manage the data integration project from start to finish in line with the agreements made with data custodians and requirements as part of approval processes.

An integrating authority must be identified for each statistical data integration proposal. This authority will be held responsible for the sound conduct of the statistical data integration proposed, in line with the agreed requirements of the responsible agencies.

Although the integrating authority is the single organisation ultimately accountable for the Statistical Data Integration project, it may work with a network of agencies to achieve the data integration. For example, it might use another agency to undertake linkage or to support dissemination.

The integrating authority will ensure appropriate governance is in place including:

- an open approval process is followed;
- documentation of the proposal;
- the impact on privacy;
- risks have been assessed, managed and mitigated
- the expected costs and benefits; and
- the outputs.

A family of data integration projects using the same source datasets, for similar purposes, with the same integrating authority, may be treated as a single program for the purposes of the approval process.

The integrating authority will be responsible for the ongoing management of the integrated data, ensuring it is kept secure, confidential and fit for the purposes for which it was approved.

If it is an ongoing project, the integrating authority will be responsible for initiating and managing its regular review, in consultation with source data agencies.



4

PRINCIPLE FOUR – Public Benefit

Statistical integration should only occur where it provides significant overall benefit to the public.

This principle ensures there is a demonstrated ability to produce significant outputs from the integrated dataset and an independent assessment is made that the public good outweighs the privacy imposition and risks to confidentiality.

There should be a demonstrated ability to produce significant outputs from the integrated dataset.

There should be an independent assessment of the balance of public good against the privacy imposition and risks to confidentiality. Examples include community representation on the steering committee, the use of an ethics committee, or the use of an advisory committee with community representation and the ability to report independently of the agencies involved in the proposal.

Ongoing programs should be reviewed on a three yearly basis to ensure a continuing overall benefit.

5

PRINCIPLE FIVE – Statistical & Research Purposes

Statistical data integration must be used for statistical and research purposes only.

This principle requires that where data integration is approved and implemented for statistical and research purposes, it is not then used for regulatory purposes, compliance monitoring, or service delivery. This helps to ensure that the risk of breaches of personal information and the potential impact of any inadvertent breach remain low.

Statistical data integration must not be used for non-statistical purposes requiring the identification of an individual person, household, family or business, for example, the delivery of services to particular individuals, individual compliance monitoring, client management, incident investigation, or for regulatory purposes. However the insights gained through statistical and research outputs are expected to improve processes in these areas.

There must be no feedback of information relating to individuals or individual businesses from the statistical data integration project back to the originating administrative sources, unless that feedback was derived from a single source and is returning the same data to that source.

PRINCIPLE SIX – Preserving Privacy & Confidentiality

Policies and procedures used in data integration must minimise any potential impact on privacy and confidentiality

This principle ensures privacy and confidentiality are preserved to the maximum extent possible.

Operational, administrative and personal identifiers should be removed from datasets as soon as they are no longer required to meet the approved purposes of the statistical data integration project.

Where identifiers need to be retained, for example for longitudinal studies, they should be kept separate from the integrated dataset.

The number of unit records and data variables to be included in an integrated dataset should be no more than required to support the approved purposes.

The type of matching used (exact, probabilistic or statistical) should be chosen as the minimum needed to support the approved purposes, and the range of attributes used to establish a common identify should be the minimum necessary for the linking operation to succeed.

Access to potentially identifiable data for statistical and research purposes, outside secure and trusted institutional environments should only occur where: legislation allows; it is necessary to achieve the approved purposes; and meets agreements with source data agencies.

Risks of indirect as well as direct identification should be carefully managed when data is disseminated outside secure and trusted institutions, particularly in terms of units with unusual characteristics. This management must take account of the potential increase in identifiability of one set of data when combined with another set. It might involve strict data use licensing conditions, reducing detail, perturbing data, or seeking the consent of the individual or business involved to release potentially identifiable data, the last of these being most likely in the case of business data.

Once the approved purpose of the project is met, the related datasets should be destroyed, or if retained, the reasons for and necessity of retention documented, and a review process set up. If such retention was not part of the initial approval process, re-approval of the decision to retain is required.

Archiving of statistically integrated data sets should be restricted to confidentialised datasets.

PRINCIPLE SEVEN – Transparency

Statistical data integration will be conducted in an open and accountable way.

This principle ensures the public is aware of how Commonwealth government data is being used for statistical and research purposes.

The main elements will be:

- governed in an open accountable way
- ensure stakeholders and the community are kept informed of any statistical data integration project undertaken, by publishing appropriate details of the project such as the datasets, the purpose, provision for access, use made of the dataset, the make up and role of any advisory body or steering group, the role of involved institutions, the approval process, and the review process.
- appropriate privacy impact assessment
- each project is subject to audit, agencies responsible for source data and data integration, will agree on audit schedules.

Resources

"A Good Practice Guide to Sharing your Data with Others"

From the National Statistical Service (NSS) website:

<http://www.nss.gov.au/nss/home.NSF/pages/NSS-Resources>

For more information, please contact the CPSIC Secretariat by:

Phone: (02) 6252 7198

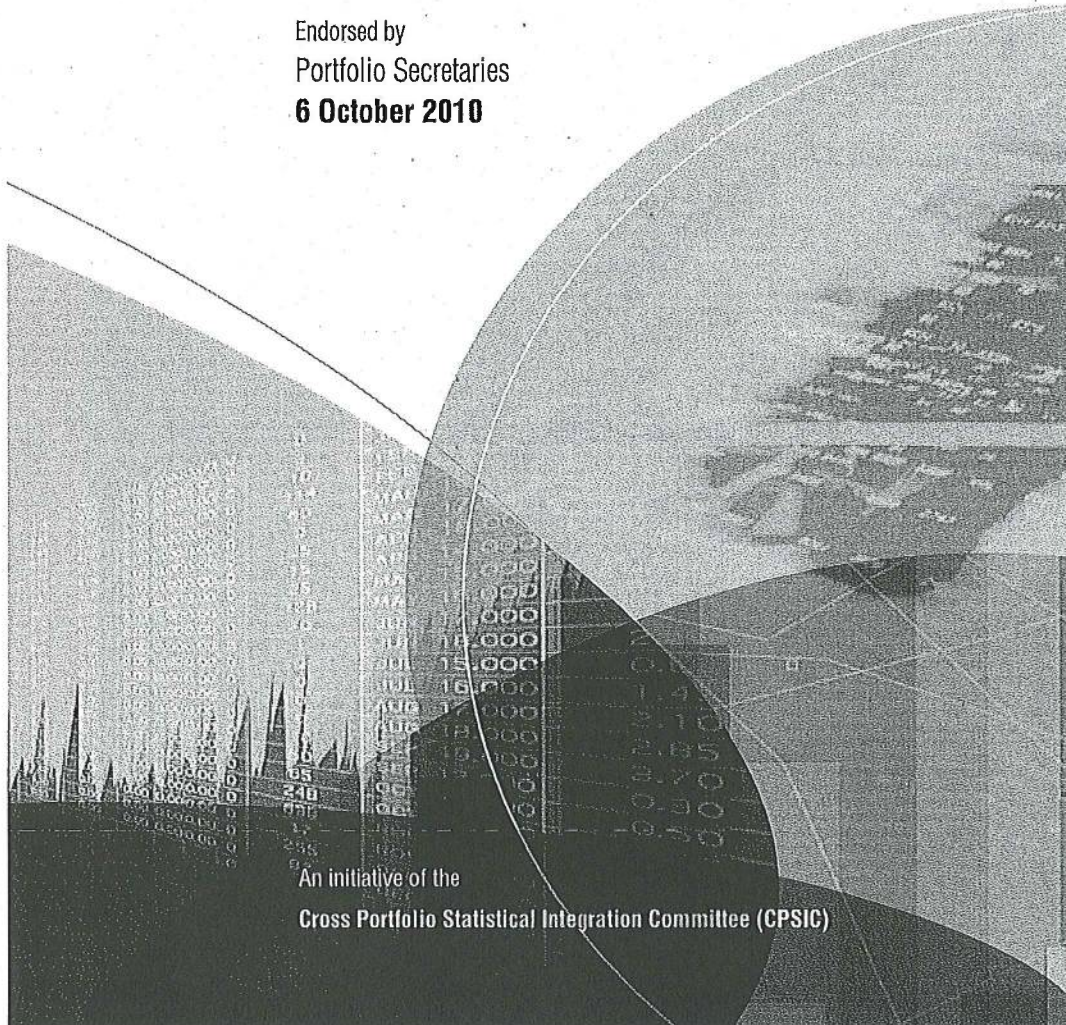
E-mail: inquiries@nss.gov.au



Australian Government

**Data Integration Involving Commonwealth
Data for Statistical and Research Purposes:
Governance and Institutional Arrangements**

Endorsed by
Portfolio Secretaries
6 October 2010



An initiative of the
Cross Portfolio Statistical Integration Committee (CPSIC)

About CPSIC

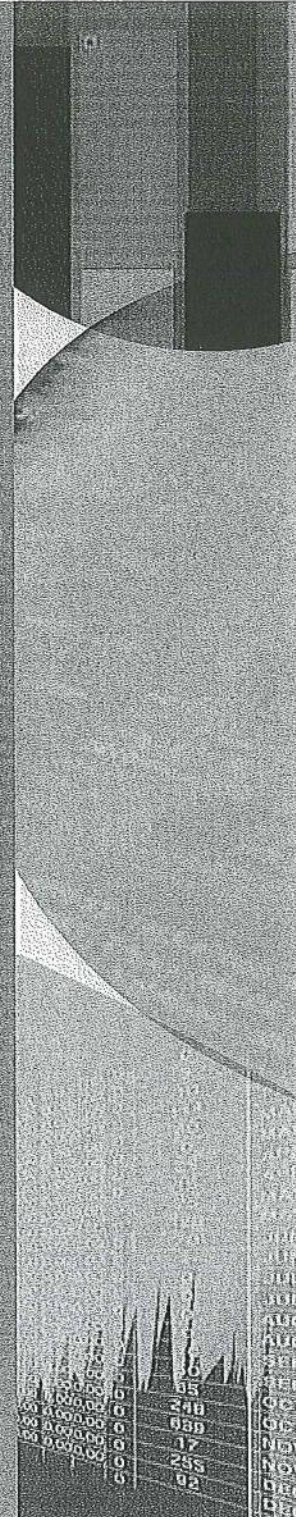
In 2009, Australian Government Portfolio Secretaries established a Cross Portfolio Statistical Integration Committee, jointly chaired by the Australian Bureau of Statistics and the Department of Health and Ageing, to create an Australian Government approach to facilitate linkage of social, economic and environmental data for statistical and research purposes.

Cross Portfolio Statistical Integration Committee members were:

- Attorney-General's Department
- Australian Bureau of Agricultural and Resource Economics
- Australian Bureau of Statistics
- Australian Public Service Commission
- Department of Broadband, Communications and the Digital Economy
- Department of Defence
- Department of Education, Employment and Workplace Relations
- Department of Families, Housing, Community Services and Indigenous Affairs
- Department of Finance and Deregulation
- Department of Foreign Affairs and Trade
- Department of Health and Ageing
- Department of Human Services
- Department of Immigration and Citizenship
- Department of Infrastructure and Transport
- Department of Innovation, Industry, Science and Research
- Department of Resources, Energy and Tourism
- Department of Sustainability, Environment, Water, Population and Communities
- Department of the Prime Minister and Cabinet
- Department of the Treasury
- Department of Veterans' Affairs

Building a Safe and Effective Environment for Data Integration

Statistical data integration involves integrating data from different administrative and/or survey sources to provide new datasets for statistical and research purposes. The approach leverages more information from combining datasets than could be obtained by examining individual datasets separately. Data integration aims to maximise the statistical value of existing and new datasets, to improve community health as well as social, economic and environmental wellbeing, by integrating data across multiple sources, working with governments, the community and researchers to build a safe and effective environment for data integration activities.



Integrated datasets provide public benefits in terms of improved research, supporting good government policy making, program management and service delivery. Integrated datasets also create important opportunities to expand the range of official statistics to better inform Australian society.

High level principles for data integration involving Commonwealth data for statistical and research purposes

On 3 February 2010, the Portfolio Secretaries Meeting (now Secretaries Board) endorsed a set of high level principles for the integration of Commonwealth data for statistical and research purposes. At the same time, a set of governance and institutional arrangements to support these principles was requested.

A complete description of the high level principles is available at www.nss.gov.au and a summarised version is provided below.

Strategic resource	Principle 1 Responsible agencies should treat data as a strategic resource and design and manage administrative data to support their wider statistical and research use.
Custodian's accountability	Principle 2 Agencies responsible for source data used in statistical data integration remain individually accountable for their security and confidentiality.
Integrator's accountability	Principle 3 A responsible 'integrating authority' will be nominated for each statistical data integration proposal.
Public benefit	Principle 4 Statistical integration should only occur where it provides significant overall benefit to the public.
Statistical and research purposes	Principle 5 Statistical data integration must be used for statistical and research purposes only.
Preserving privacy and confidentiality	Principle 6 Policies and procedures used in data integration must minimise any potential impact on privacy and confidentiality.
Transparency	Principle 7 Statistical data integration will be conducted in an open and accountable way.

Resources

"High level principles for data integration involving Commonwealth data for statistical and research purposes" are available from the National Statistical Service (NSS) website: <http://www.nss.gov.au/>

For more information, please contact the Secretariat by:

Ph: (02) 6252 7198 E-mail: Inquiries@nss.gov.au

Cross Portfolio Data Integration Oversight Board

A high level **Cross Portfolio Data Integration Oversight Board (the Board)** will be established by early 2011 to oversee the development of a cross government environment for data integration involving Commonwealth data for statistical and research purposes that is safe and effective. The Board will be chaired by the Australian Statistician and membership will initially include the heads of the Department of Health and Ageing; the Department of Families, Housing, Community Services and Indigenous Affairs; and the Department of Human Services.

The **role** of the Board will be to:

- Provide strategic and collaborative leadership, support effective governance and help manage the risks of particular data integration projects;
- Help manage the systemic risk associated with conducting multiple data integration projects involving Commonwealth data through assessment of proposed risk mitigation strategies, and the provision of advice; and
- Endorse any changes or additions to the overall environment, including amendments to the principles or guidelines, or the development of new general tools to support integration or safe access to integrated data for statistical and research purposes.

Activities of the Board will include:

- Advising on data integration projects assessed as being of **high risk** and with the potential to significantly impact information related activities across government. Where the Board advises on amendments to, or discontinuation of, a particular project, the relevant custodians and integrating authority will need to consider these views in deciding whether to proceed with the proposed project.
- Working with agencies to help ensure the systemic risk associated with high risk projects is adequately managed. It will do this by reviewing data integration projects involving Commonwealth data deemed by agencies to pose a significant level of systemic risk, and advising on the sufficiency of the intended risk mitigation strategies.
- Review of any adverse incidents of high public concern relating to data integration involving Commonwealth data for statistical and research purposes, and seen as having a likely systemic impact on public trust in government use of data.
- Consultation with the Office of the Australian Information Commissioner, as required. The Board is also free to consult representatives from the research community or other parties as required.

Integrating Authorities

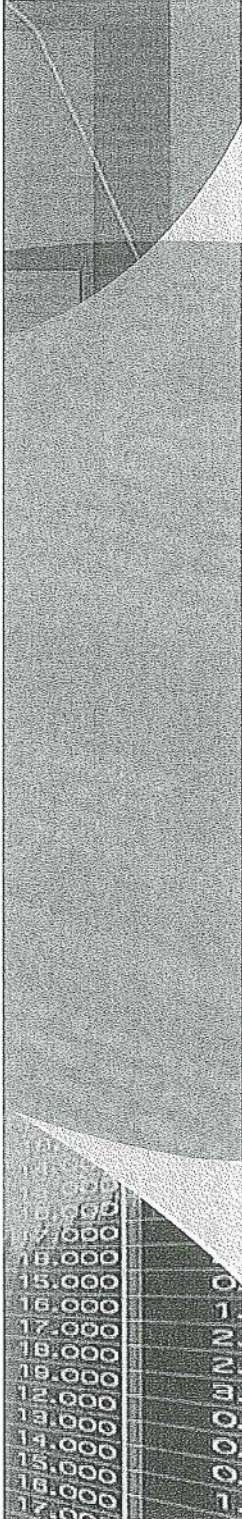
An essential pillar of establishing a safe and effective environment for data integration involving Commonwealth data is the nomination of an agency as the authorised integrating authority for each statistical data integration proposal. The integrating authority will be responsible for the sound conduct of the data integration project and may work with other agencies to achieve components of the project, for example it might use another agency to undertake linkage or to support dissemination. The integrating authority has overall responsibility to ensure that risks have been assessed, managed and mitigated throughout the duration of the project, including regular reviews of ongoing projects.

As described by Principle 3 in the High Level Principles, the integrating authority will ensure appropriate governance is in place for the data integration project including: using an open approval process; documenting the proposal; considering the privacy impacts, examining the expected costs and benefits of the proposal and considering the access arrangements and dissemination plans. The integrating authority will be responsible for the ongoing management of the integrated data, ensuring it is kept secure, confidential and fit for the purposes for which it was approved.

Integrating authorities are responsible for the implementation of the data integration project, and the management of the integrated datasets throughout their life cycle, ensuring full compliance with commitments made as part of the project approval, and in line with a set of guidelines to be developed as a priority by 2012.

A key requirement of integrating authorities is that, to the extent that the data they deal with involves identifiable information, they be in a position to comply with the requirements of the Privacy Act 1988 (in regards to information about individuals) and secrecy provisions generally (in regards to information with respect to the affairs of any third party, corporate or individual). This may require either the consent of the individual to the particular use or disclosure for Privacy Act 1988 purposes, or an overriding public interest test certified in accordance with the relevant secrecy provision.

Integrating authorities will only be established at the initiative of an interested agency. Such agencies may wish to involve their respective Ministers in the course of preparing a proposal for accreditation to the Board. An Integrating authority could also be established administratively within a Department or other agency, that is, it would be part of an agency subject to the provisions of the Privacy Act 1988.



Accreditation Process

For data integration proposals considered by custodians to pose a high systemic risk, nomination of an authorised and accredited integrating authority is required. An **accreditation process** will be established through the Board to enable the endorsement of authorised and accredited integrating authorities with the capacity to deal with high risk data integration projects or families of projects involving Commonwealth data.

Data integration projects involving Commonwealth data for statistical and research purposes judged to pose a high systemic risk will need to be undertaken with particular care to help mitigate this risk. This will require a high level of relevant expertise, a strong understanding of, and capability for, maintaining security, as well as a consistently high standard of behaviour by all employees based on a strong culture, and set of values. To ensure effective use of specialist skills and infrastructure, the number of accredited integrating authorities is expected to be relatively limited.

An **accreditation process** including interim arrangements will be proposed through cross government consultation. It is expected that interim arrangements will be proposed for discussion and endorsement by the Board in early 2011 with final arrangements agreed early 2012.

Best Practice Guidelines

A comprehensive set of **guidelines** describing best practice for data integration projects involving Commonwealth data for statistical and research purposes will be jointly developed by a cross government working group and approved by the Board. These guidelines will build upon already available guidelines (e.g. *National Statement on Ethical Conduct in Human Research*, related guidelines of the Office of the Privacy Commissioner, and agency specific guidelines and proformas).

The guidelines will be considered in conjunction with legislation relevant to the data custodians, data providers and the integrating authority.

The guidelines will cover such areas as:

- Privacy including Privacy Impact Assessments and the protection of privacy in medical research¹
- Approval
- Registration
- Agreements – between data custodians and the integrating authority; or with end users
- Responsibilities of custodians and integrating authorities including accreditation criteria and accreditation process
- Handling of identifiers and application of the separation principle, for example, the separation of identifiers and key demographic data used for linking (e.g. date of birth) from the individual content or event information (e.g. clinical or benefit information)
- Minimum standards for the secure management of data during and after integration, including the exchange of sensitive data across agencies
- Minimum standards for consent to access Commonwealth data
- Confidentialising of integrated data sets and research outputs
- Managing access and use of integrated data sets
- Minimum standards for data destruction or review.

The guidelines will be developed progressively, commencing in 2011 with guidelines relating to integrating authorities. They will be made publicly available on an Internet site, and maintained by the Secretariat to the Board.

¹ *Privacy Act 1988* Section 95 Medical Research Guidelines available at http://www.austlii.edu.au/au/legis/cth/consol_act/pa1988108/s95.html



4

Education and training

An **education and training strategy** will be developed and implemented to support the guidelines for data integration projects involving Commonwealth data for statistical and research purposes.

The guidelines and the education and training strategy will be targeted to key stakeholders including government agencies (acting variously as custodians, integrating authorities, researchers, Privacy Commissioners), the private sector (as custodians or researchers), the academic/research community and the public.

The purpose of the education and training strategy will be to build an understanding of:

- The underpinning values of a safe and effective environment for data integration projects.
- Key issues in managing privacy and confidentiality in data integration projects.
- Key legislative requirements within the management of data integration projects including maintaining privacy and confidentiality.
- Sanctions that apply for non compliance with legislative requirements or other institutional requirements.
- Support available in terms of specialist advice, knowledge and tools.

Following its development and finalisation by January 2013, the education and training strategy will be publicly available on an internet site and maintained by the Secretariat to the Board.

Network of Statistical Liaison Officers

Statistical Liaison Officers (SLOs) have been established in many Commonwealth agencies to provide a central contact of information and expertise in statistical collections involving businesses. Statistical Liaison Officers are part of an Australian Government initiative established by the Prime Minister in 1997 to reduce duplication, minimise the burden on business, and ensure that statistical data collections involving businesses are fit-for-purpose.

The role of the existing network of Statistical Liaison Officers across Commonwealth agencies will be expanded to provide a central contact of information and expertise in data integration projects involving Commonwealth data. This network will be able to share information on good practice and help minimise duplication.

Statistical Liaison Officers as at November 2010:

Attorney-General's Department (AGs)
 Australian Bureau of Agricultural and Resource Economics (ABARE)
 Australian Communications and Media Authority (ACMA)
 Australian Competition and Consumer Commission (ACCC)
 Australian Crime Commission (ACC)
 Australian Customs and Border Protection Service
 Australian Institute of Criminology (AIC)
 Australian Institute of Health and Welfare (AIHW)
 Australian Prudential Regulation Authority (APRA)
 Australian Taxation Office (ATO)
 Australian Trade Commission (Austrade)
 Department of Agriculture, Fisheries and Forestry (DAFF)
 Department of Broadband, Communications and the Digital Economy (DBCDE)
 Department of Defence
 Department of Education, Employment and Workplace Relations (DEEWR)
 Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA)
 Department of Foreign Affairs and Trade (DFAT)
 Department of Health and Ageing (DoHA)
 Department of Human Services (DHS)
 Department of Immigration and Citizenship (Diac)
 Department of Infrastructure and Transport (DIT)
 Department of Innovation, Industry, Science and Research (DIISR)
 Department of Resources, Energy and Tourism (DRET)
 Department of the Prime Minister and Cabinet (PM&C)
 Food Standards Australia New Zealand (FSANZ)
 Medicare Australia
 National Centre for Vocational Education Research (NCVER)
 Private Health Insurance Administration Council (PHIAC)
 Private Health Insurance Ombudsman (PHIO)
 Productivity Commission (PC)
 Royal Australian Mint (RAM)
 Screen Australia (SA)

Register of data integration projects

Consistent with a more open government, and to build trust through transparency, a web-based **register** will be established to include a description of data integration projects involving Commonwealth data for statistical and research purposes. A **public feedback mechanism** will enable members of the public to register support or concerns and make suggestions about particular projects or families of projects.

The register entry will describe the project purpose and data sources, recognising that specific details on individual use will generally not be made publicly available for in-confidence government business. For similar reasons, actual data will not be included. A format for such submissions will be developed across government and made available through self-help mechanisms (email, SLO network, internet site).

The integrating authority nominated for each project will be responsible for submitting an entry to the register once the project is finalised.

The register will be available through an appropriate whole-of-government web site, along with related information, including the high level principles, the guidelines and access to the public feedback mechanism. It is expected that development of the register will commence in 2011 with trialling through 2012 and final release by 2013.

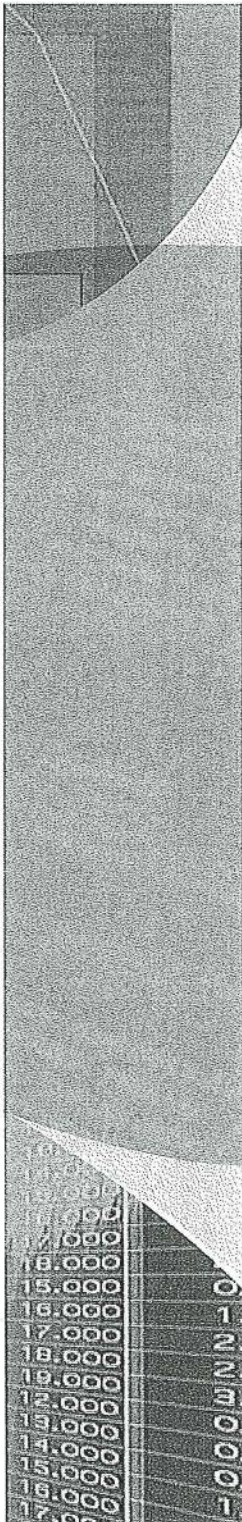
The Secretariat will maintain the register and associated internet site.

Secretariat

A small **Secretariat** will be established by early 2011 and based in the Australian Bureau of Statistics, to support the Board and its ongoing activities.

The Secretariat will support the Board by:

- Providing administrative support as needed to facilitate meetings, maintain centralised documentation and undertake investigation or development work as directed by the Board.
- Assisting the cross government development of the guidelines, the development and, in part, the delivery of the education and training strategy, and expansion of the network of statistical liaison officers.
- Developing and maintaining a web-based public register of the description of projects and the provision of a public feedback mechanism, in conjunction with other agencies.
- Monitoring the risk assessment of projects, including legal and systemic risks, advising project managers where further advice has been requested, and Identifying instances where apparently high risk projects have not been assessed as such, Initiating discussion with the agency involved in the first instance to resolve concerns, and as required, escalating the assessed level of risk, for Board consideration.
- Providing a contact point in government for issues relating to data integration involving Commonwealth data for statistical and research purposes, whether coming from data custodians, integrating authorities, researchers or the public.
- Following development of the public register, releasing an annual report on key aspects of data integration activity involving Commonwealth data for statistical and research purposes, including a summarised report on public feedback.



Transition Arrangements

Transition arrangements will apply during the early stages of the implementation of the high level principles and the governance and institutional arrangements for data integration involving Commonwealth data for statistical and research purposes. Transition arrangements include the following:

- The Board and Secretariat will be established in early 2011 to commission cross government work to develop and begin communicating the guidelines, the education and training strategy, the use of statistical liaison officers, and accreditation criteria for integrating authorities.
- In early 2011, it is expected that a small number of agencies will be accredited as authorised integrating authorities for high risk projects. This will be an interim accreditation, subject to review and finalisation of the formal accreditation process in early 2012.
- The education and training strategy will be developed by January 2013 to provide a range of self help tools to inform stakeholders. This will be expanded to include seminars, workshops, and conferences. The strategy will also be designed to develop the skills of integrating authorities.
- New data integration projects which commence prior to the development of the guidelines are expected to be set up to conform to the high level principles.
- High risk projects should be notified to the Secretariat for review by the Board. The project should be fully developed before consideration by the Board. However, in the initial stages, it may be useful for those developing the proposal to liaise with the Secretariat. Where a new, potentially high risk project has been substantially developed, and committed timeframes do not permit review by the Board, the Board should be notified of the project and it should be treated as a project currently underway.
- Those projects, including families of projects, which are underway as at October 2010, and which are expected to be completed by October 2012, will not be subject to the new arrangements, although project managers are encouraged to consider the conformity of the project to the principles and to seek advice from the Secretariat if there are aspects of the projects that may be of concern.
- Those projects, including families of projects, which are underway, and are expected to continue beyond October 2012, will need to become aligned with the principles, and with the proposed governance and institutional arrangements. It is proposed that such projects are brought into alignment by October 2012.

SCHEDULE 3

This schedule outlines the Terms of Reference for the Inter-Departmental Working Group (IWG) on Education and Employment Outcomes for Refugees and Migrants, established in 2010.

The MOU Managers are responsible for ensuring all Material produced in connection with this MOU, including research reports commissioned by the IWG, align with the requirements of Schedule 3.

**Interdepartmental Working Group:
*Improving education and employment outcomes
for refugees and migrants***

Terms of Reference

Role and Outcomes of the IWG:

1. Improve cross-agency collaboration and integrated service delivery to achieve education and employment outcomes for refugees and vulnerable migrants;
2. Develop the evidence base on education and labour force outcomes (and any relevant related outcomes) of refugees and vulnerable migrants, including through the implementation of cross-portfolio research projects;
3. Improve education and employment outcomes by addressing vocational and non-vocational barriers for refugees and vulnerable migrants;
4. Enhance policy and program development by implementing cross-portfolio protocols for regular sharing of information and Data; and
5. Identify and assess the effectiveness of program and service models, including sharing of evaluations, innovative and best practice examples of service provision.

Membership:

Membership of the IWG includes senior executive representatives from:

- Department of Education, Employment and Workplace Relations (Chair)
 - Dr Alison Morehead, Group Manager, Social Policy Group.
- Department of the Prime Minister and Cabinet
 - Ms Rebecca Cross, First Assistant Secretary, Families, Immigration and Social Support Division.
- Department of Immigration and Citizenship
 - Mr James Fox, First Assistant Secretary, Citizenship, Settlement and Multicultural Affairs Division;
 - Mr Mark Cully, Chief Economist, Economic Analysis Unit.
- Department of Human Services
 - Ms Linda Holub, Division Head, Social Policy, Delivery and Planning.
- Centrelink
 - Ms Moya Drayton, General Manager, Employment, Education and Support Programs.

Meeting Frequency:

Initially, the IWG will meet every six weeks from April 2010 through to June 2010 and then as agreed by the IWG members. The IWG will operate until April 2011 (or as required) at which time its Terms of Reference will be reviewed.

Secretariat:

Secretariat support for the IWG will be provided by the Social Inclusion Populations Policy Branch of the Department of Education, Employment and Workplace Relations. The Secretariat contact details are:

Director - CALD Policy Section
Social Inclusion Populations Policy Branch
Emp.IWG@deewr.gov.au
02 6121-5404