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Protocol for the Release of Social Security Information

Purpose

The purpose of this Protocol is to ensure that the release of social security information by agencies is consistent with the requirements of the Government, the responsibilities and requirements of Ministers and their agencies, and the legitimate requirements of stakeholders.

The Protocol is a tool to assist officers in releasing social security information in which other agencies have an interest. It is to be used within the framework of social security law, family assistance law and the Privacy Act.

Preamble

The **Protocol for Release of Social Security Information** is implemented under the **Social Security Information High Level Principles and Mutual Assurance Protocols** (SSI Principles and Protocols, Attachments C & D at Part 3) and the associated multilateral arrangements between FaCSIA, DEWR, DEST, DHS and Centrelink (Social Security Information Committee, Social Security Data Management Working Group).

The SSI Principles and Protocols define social security information as “*all relevant data and information acquired and maintained by Australian Government agencies with policy, program, service delivery and central responsibilities under social security and family assistance legislation*”.

The Protocol defines mutually agreed policies, processes and procedures for the release of two broad classes of social security information:

- **Non-protected information** (individual customers are unlikely to be identified)
- **Protected information** (individual customers may be directly or indirectly identified)

Requests for non-protected information are received from a wide range of sources, including Ministers and their offices, Parliament, other agencies, media sector, community and research organisations, and individual citizens.

Non-protected information requests are categorised to enable efficient processing of information requests, while ensuring that the information released meets the consistency, quality and privacy requirements of the responsible agencies. A special category for Ministerial information requests provides for levels of responsiveness and quality assurance that reflect our accountability to our Ministers.

To assist the consistency and efficiency of the release process, the Protocol provides a list of authoritative information sources for social security information (Attachment B, Part 3). This list can be modified to reflect changed operational imperatives if agreed between the relevant policy

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department and the service provider, and providing these changes are advised to all parties to the Protocol.

Protected information is released under a complex set of legal and administrative requirements and constraints. The policies, processes and procedures for releasing protected information ensure that the risk of a privacy breach is minimised. While privacy issues are the primary consideration for protected information, the Protocol arrangements reflect the need for acceptable levels of efficiency (see 1.6.3) and consistent definitions and business rules.

This Protocol is authorised by the Social Security Information Committee, and is subject to continuing review and revision. It will be formally reviewed on an annual basis.

Part 1

High-level Protocol

Part 1 – High Level Protocol

1.1 Purpose of this Protocol

1.1.1

The purpose of this Protocol is to provide clear guidance relating to the release of all social security information, particularly when it relates to the release of unpublished social security information to external or third party organisations.

1.1.2

The High Level Principles at Attachment C (Part 3) primarily promote and facilitate the sharing of social security information between the agencies to this agreement.

1.1.3

One of the aims of this protocol is to reduce the number of requests that require approval by policy departments, which includes strategies such as referring to published data, as well as assuring that information requiring authorisation is clearly defined.

1.1.4

This Protocol is an agreement between the Department of Human Services (DHS), Centrelink, the Department of Families, Community Services and Indigenous Affairs (FaCSIA), the Department of Employment Workplace Relations (DEWR), and the Department of Education, Science and Training (DEST).

1.1.5

This Protocol primarily relates to the provision of aggregated social security information, including protected and non-protected information, collected predominantly by Centrelink (although other policy agencies (to this Protocol) which collect social security information will also comply with this Protocol).

1.1.6

The operation of this Protocol is subject to relevant legislation and regulations and also the conditions and requirements included in the Attachments to this Protocol at Part 3).

1.2 How to use this Protocol

1.2.1

This Protocol and the custodians mentioned below must operate under the Social Security Information Principles and the Mutual Assurance Protocol.

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1.2.2

This Protocol has been divided into three Parts:

- Part 1 – high level document that details the principles of the Protocol and are applicable to the release of all social security information;
- Part 2 – outlines the four categories of information or data covered under this Protocol; and
- Part 3 – Attachments detailing important provisions, principles and protocols critical to this Protocol.

1.2.3

This Protocol must also be used in conjunction with other Protocols and guidelines developed within agencies as required, such as:

- Publishing Information Protocol (FaCSIA);
- Business Partnership Agreement, Data Framework (FaCSIA);
- Department of Employment and Workplace Relations and Centrelink Business Partnership Agreement 2006-2009;
- Business Partnership Agreement, Privacy, Records and Information Access Protocol (DEST); and
- Any list of published data agreed between the parties.

Each agency agrees to keep this list up-to-date.

1.3 Parties to this Protocol

1.3.1

Centrelink, FaCSIA, DEWR, DEST and DHS are committed to working collaboratively to ensure that customer-related information is treated consistently, within an acceptable level of quality and only released under appropriate circumstances.

1.3.2

The departmental contact areas for this protocol are:

DHS	Branch Manager, Delivery Analysis
Centrelink	MI Coordination Manager , Corporate Coordination, Performance & Information Branch
FaCSIA	Section Manager Social Policy Data Services, Information Management Branch
DEWR	Director , Centrelink Strategies Team, Centrelink & Stakeholder Management Branch; and
DEST	Director , Information and Analysis Section, Income Support for Students Branch

1.4 Custodianship

1.4.1

Custodians are individually accountable to the Government for the governance, management, use, integrity, security and privacy of social security information.

1.4.2

Centrelink is the primary **physical custodian** for social security information collected by that agency. As primary physical custodian, Centrelink is responsible to the business custodians and the Government for the physical preservation of information elements and for making information available in a form that meets mutually agreed user needs and standards. Centrelink holds the original record of every income support customer transaction from which social security information is derived.

1.4.3

Centrelink, DHS, FaCSIA, DEWR and DEST are all **business custodians** for social security information collected by Centrelink on behalf of the Australian Government. Business custodians are responsible for the commissioning, use and improvement of authoritative information sources that reside across the four agencies.

1.5 Application

1.5.1

Business custodians will only authorise the release of social security information directly relevant to their responsibilities or with the permission and/or agreement of the relevant agency[s].

1.5.2

All custodians are responsible for providing mutual assurance for the appropriate governance, management and use of social security information (refer to Attachment D). For the procedures relating to the release of information to requesters refer to Part 2 of this Protocol.

1.5.3

For the purpose of this Protocol, "requesters" include:

- a. Government departments and agencies at the Commonwealth, State and local levels;
- b. other organisations such as community organisations, councils, tertiary education establishments, research organisations, and Non-Government Organisations (NGOs);
- c. members of the public;
- d. all Ministers and their offices where the relevant information is to be released outside the Minister's Office;
- e. Commonwealth and State and Territory Parliamentarians and their staff, Parliamentary Committees and the Parliamentary Library; and
- f. members of the media.

1.5.4

In reference to points 1.5.3 d – f (above), each party to this Protocol has separately documented processes for addressing requests from these requesters. Such processes must be used in conjunction with this Protocol.

1.6 General Principles for the Release of Information

1.6.1.1

The purpose for which information is collected is the determinant of its use. Social security information is collected to establish eligibility/payment of social security pensions, benefits and/or allowances. Consequently, any secondary use must relate to improving outcomes for those clients and the community.

1.6.1.2

Information requested proposed for research on, for example, the future need for aged care facilities is an appropriate use of social security information. Whereas information proposed for use as market research considered to be purely for commercial purposes would not be appropriate. In this instance, only publicly available material can be used, for example, as published by the Australian Bureau of Statistics, the Australian Institute of Health and Welfare or Annual Reports.

1.6.1.3

Information for outsourced programme evaluation is usually sourced and provided by the relevant policy department.

1.6.1.4

For information to be released it should be generated from the approved data source using agreed business rules and definitions. It should also be assessed by the responsible agency as consistent with expectations given their knowledge of social security customers, payments and/or programs, taking into account relevant legislation eg Freedom of Information and Privacy legislation. (See – 2.4 Privacy for more detailed principles in relation to privacy issues.)

1.6.2 Assurance

1.6.2.1

Consistent with the Mutual Assurance Protocol, custodians will implement appropriate arrangements to ensure the:

- acquisition, management and release of social security information complies with relevant legislation, regulations, policy and guidelines;
- integrity, security and privacy of social security information (including cell-size rules); and
- quality and consistency of social security information directly relevant to their responsibilities; and
- information supplied is appropriate to the request.

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1.6.3 Protected Information

Section 23(1) of the *Social Security Act 1991*, defines 'protected information' as:

“

- (a) **information about a person** that is or was held in the records of the Department or of the Agency; or
- (b) information about a person obtained by an officer under the family assistance law that is or was held in the records of the Australian Taxation Office or Medicare Australia; or
- (ba) information about a person obtained by an officer under the family assistance law that was held in the records of the Health Insurance Commission; or
- (c) information to the effect that there is no information about a person held in the records of one or more of the following:
 - (i) the Department;
 - (ii) the Agency;
 - (iii) the Australian Taxation Office;
 - (iv) Medicare Australia.”

De-identified information is information that has had names and addresses removed, but is not aggregated. This may still be capable of being described as 'information about a person' and be classed as 'protected information'.

Confidentialised information is information presented as a unit record set which has the respondent and other names and addresses removed, and, for geographic and/or sensitive information, which is presented in aggregate form according to the requirements of the Department.

Each department must fulfil its obligations under Social Security law, Family Assistance law, the *Privacy Act 1988* and their own departmental policy guidelines. Please refer to section 202 of the *Social Security (Administration) Act 1999* and section 162 of the *Family Assistance (Administration) Act 1999* for details on the release of protected information.

For employees in Centrelink, these obligations are outlined in the Privacy and Confidentiality Manual available online to employees of Centrelink at: <http://centrenet/corp/priv/index.htm>.

1.6.3.1

Exceptions to this Protocol apply to the release of protected information to identified Commonwealth agencies for very specific purposes as detailed at Attachment A in Part 3.

1.6.3.2

As a general rule, if data is intended to be published (including Questions on Notice), it should be extracted as at March, June, September or December from the agreed authoritative databases at Attachment B to maximise comparability including temporal dates of extraction. Exceptions to this rule

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can be considered on a case-by-case basis following discussion with the data provider and policy agency(s).

1.7 Metadata

1.7.1

Metadata is structured information that describes and/or allows users to define, manage or control and understand other information. To ensure that metadata is as useful as possible, it is important that it is applied consistently by agencies across the Commonwealth.

1.7.2

Metadata or references to metadata will be included:

- with every request, and will contain enough detail to minimise the possibility of misinterpretation; and
- on each separate table containing the information, unless otherwise agreed. See 2.5 for more detailed requirements.

Part 2

Operational Procedures

2. Part 2 – Operational Procedures

2.1 Categories of Information

2.1.1

For the purposes of this protocol, requests for information have been classified into four broad categories:

Category 1

Requests that can be met without obtaining specific written authorisation from business custodians prior to release.

Category 2

Requests that require authorisation for release from relevant business custodians, including Parliamentary Library.

Category 3

Requests for information from Ministers and their Offices.

Category 4

Requests for information that cannot be met.

2.1.2

Queries regarding policies and payments should be directed to the relevant policy department, and the contact e-mail addresses for each agency are as follows:

FaCSIA	Information Management Branch at Data.Requests@facsia.gov.au
DEWR	Centrelink and Stakeholder Management Branch at Centrelinkreporting@dewr.gov.au
DEST	Income Support for Students Branch at issb_data@dest.gov.au
Centrelink	Performance and Information Branch MI.Coordination@centrelink.gov.au

2.1.3

Each agency may have specific processes for dealing with internal requests for information.

2.1.4

Requests that require policy department clearance must include, unless otherwise agreed:

- the agreed summary template, and
- all e-mail correspondence relating to the request, including the original request, and any subsequent refinements to the request.

2.2 Primary Payments