DATA ACCESS, USE AND EXCHANGE THROUGH A LEGAL LENS: SOME LESSONS LEARNED FROM THE OECD EXPERIENCE

Julien Dupont
OECD Statistics and Data Directorate

Expert meeting on Modernising Statistical Legislation
UNECE
3-5 November 2020
Challenges to existing ethical frameworks

• Existing (national and international) ethical frameworks are challenged
  – New data environment
  – Digitalisation of economies and societies
  – Artificial intelligence
  – Increasing computing capacity
  – Acceleration due to the Covid-19 crisis

• New demands for statistics
  – More timely
  – More granular evidence-based information
  – High-frequency data, etc.

• Challenges for NSOs and IOs
  – Increasing risks (legal, technical, etc.)
  – Access to and use of new data sources including private data
  – Data sharing and reuse (legal and technical issues)
  – Quality
  – International comparisons
  – Exploring new ways to interpret data through data science techniques
  – Skills
(new) data sources are increasingly heterogeneous
Data sourcing at the OECD

Combine Established Sources...

- Microdata from commercial sources
- GAFAs & Digital platforms data
- Web scraped & text mined data
- Data for Geospatial analysis
- Transaction data
- IoT data
- Crowdsourced and polling data

...with Alternative Sources of Data

OECD Data Collection Programme
How to respond? Data protection

Link: https://www.oecd.org/general/data-protection.htm

• OECD Data Protection Rules
  – Scope: protection of individual with regard to the processing of personal data
  – Whose data? Can be staff or any other individual
  – Processed by whom? By or on behalf of the OECD
  – Principles:
    • Security
    • Storage limitation
    • Significant limitations related to the processing of sensitive personal data, automated processing, high risk processing
  – Rights of individuals:
    • Transparency and information
    • Right of access
    • Right to request rectification or completion of inaccurate personal data
    • Right to object when processing is not ‘necessary’
    • Right to data portability

• OECD Data Protection Commissioner
• OECD Data Protection Officer
How to respond? Quality by design

- Security, ethical, and legal risks have moved in a central stage in quality management
- Quality by design – multiple sources based statistics
  - IT tools for “quality by design”
  - Specific skills are required
- Revised quality objectives:
  - Intrinsic data quality (accuracy, relevance, coherence, completeness, etc.)
  - Timeliness and punctuality
  - Accessibility
  - Reproducibility and transparency
  - Security (confidentiality – data protection – data integration)
- Dynamic quality assurance framework need ongoing review and development
- Guidance for quality assurance has to be developed in close cooperation between area specialists
- As well as enhanced cooperation
  - with IOs
  - with statistical authorities in countries
- Privacy by design?
How to Respond? Reaffirm and safeguard existing principles

Link to the Toolkit on the implementation of the Recommendation

• UN Fundamental Principles, UNECE Generic Law, European Code of Practice, etc.

• OECD Recommendation on Good Statistical Practice
  – Define official statistics
  – Professional independence
  – Exploring new sources and new methods
  – Access to administrative data
  – Confidentiality and data protection
  – Prevent misuse of official statistics

• Implementation in practice
  – Identify and share good practices
  – (Peer) reviews

• Integrate new principles on the access to new sources (including private) and use of new technologies?
  – Promote the responsible use of personal data?
How to respond? Better position official statistics as trusted source of information

- Recognise experience of NSOs
- Embed quality of data and quality management in statistics laws
- Support national and international cooperation in collecting, processing, and sharing personal data - partnerships
- Valorise the dissemination of existing statistics
- Ensure that the public is well informed and the approaches adopted are implemented with full transparency and accountability
Thank you!
Julien.dupont@oecd.org