

**Opening Statement**  
**Joint Committee on Finance, Public Expenditure & Reform, and Taoiseach**  
**Draft General Scheme of the Data Sharing & Governance Bill**  
**Thursday, 18 May 2017**

**Introduction**

I would like to thank the Committee for inviting us here today to resume our discussion on the Data Sharing & Governance Bill.

Let me start by introducing myself and my colleagues...

Barry Lowry, Evelyn O'Connor, Owen Harrison and Pat Keane

The Committee will have received a short briefing note in advance of today's session and, given that this is our second visit, I would propose to keep the opening statement brief to maximise the time available for discussion and questions.

As previously advised, the principal aim and core focus of the Bill is to provide a generalised legal basis for the sharing of data between public bodies while setting out appropriate principles and safeguards under which such sharing should take place.

I would like to begin by outlining the three major drivers behind this Bill. These are the General Data Protection Regulations (GDPR), the Digital Single Market and eGovernment Action Plan and the National eGovernment Strategy.

**Beginning with GDPR**, we believe that this legislation is necessary to help the Government achieve its ambition that Ireland should be seen as an exemplar in data stewardship and data protection.

GDPR sets out to protect the individual with regard to the processing of personal data. However, it also recognises and makes provision for the importance of the free movement of personal data within the European Union for the purposes of better government, better healthcare, economic growth etc. We believe that the Bill being discussed today provides the regulation, especially governance required to ensure full compliance with GDPR.

Secondly, as members know, the **Digital Single Market** is being promulgated as an essential initiative to promote the economic growth of the Union and the prosperity of its citizens. The **eGovernment Action Plan** is a key aspect of DSM and obliges governments to put plans in place to ensure that government services can not only be accessed digitally, but ultimately accessed by any part of any Member State. Governments are also expected to simplify government services by not expecting citizens to provide information to one agency that has already been provided to another, and by implementing means of secure identification and safe cross border access to goods and services.

Thirdly, I would like to touch on the **National eGovernment plans**. In the 2017 Civil Service Customer Satisfaction Survey, conducted by IPSOS MRBI, 61% of those consulted agreed or strongly agreed that they would be more inclined to use online Government services as their preferred way of initial engagement with the Civil Service provided they were easier to find and easier to use. In the 18-34 age category the total figure was 76%.

65% felt that a single digital identity would be very convenient or fairly convenient. In the 18-34 age category the total figure was 82%.

All of these initiatives require us to improve our data sharing between departments, with other public service providers and ultimately with other States. We need to drive inaccurate or erroneous data out of our systems, we need to make it easier for the citizen to access our services and the data we hold on them and we need to ensure that we do not duplicate or request data unnecessarily. We believe that the Data Sharing and Governance Bill helps create the platform for these things to happen.

I would now like to move on to the Bill itself.

The initial draft proposals for this legislation were put out to public consultation in 2014. There was a significant response from a wide range of stakeholders to the consultation and the views aired during this process have made a substantial contribution to the development of the Bill, especially in regard to the governance of data sharing.

The key issues to be addressed by the Bill can be summarised in the following way:

**First**, it ensures public bodies share data where it is appropriate to do so. At the moment, some public bodies can be reluctant to share data with other public bodies in cases where it would otherwise be beneficial because it is not clear to them that they have the authority to disclose such data. This Bill addresses this problem by establishing an unambiguous legal basis for data

sharing between public bodies as well as specifying the conditions under which it can take place.

The Bill also provides that the Minister for Public Expenditure & Reform, with the consent of any other relevant Minister, may direct public bodies to engage in data sharing when necessary.

**Secondly**, it puts mechanism in place to ensure that data is only collected and shared where there is clear purpose and justification. A key part of the legislation is to provide governance over the data sharing agreements that must be put in place and published before said data sharing can take place. The bill provides a mechanism for requests for data sharing to be rejected or ceased if there is no longer requirement for the data sharing to take place or where it might be inappropriate.

**Thirdly**, it makes the whole process considerably more transparent, specifically:

- it will be easier for the citizen to find out what data about them is being shared;
- It will be easier for them to correct data; and
- It will be easier for them to challenge or complain about data sharing that is planned or has taken place.

## **Conclusion**

To conclude, data is fundamental to the effective performance of public bodies and is one of the most important resources available to them. We believe that

this legislation will deliver a number of concrete benefits to citizens, businesses and public bodies.

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

For public bodies, data-sharing provides efficiency gains and cost savings by reducing manual document-checking, removing unnecessary registration processes and providing more and better data for control activities. Sharing of data also supports better evidence-based policy analysis and policy making and improved service planning and design.

This challenge is not unique to Ireland, as I have demonstrated earlier, it is recognised and being addressed across Europe. In a digitally-dominated age, it is important for Ireland to retain its place as an EC exemplar and leader.

The governance provisions in the Bill and enhanced data management arrangements will give data subjects greater confidence that data concerning them is being managed and shared in a responsible manner and in compliance with national and EU data protection law. Publication of Data Sharing Agreements will also ensure transparency of data held and shared by public bodies. The Bill will help public bodies comply with data protection requirements under national and EU law.

I hope my opening statement has been helpful and we are happy to listen to the Committee's views and answer any questions you may have.

Thank you.

**ENDS**