Government of South Australia
Department of the Premier and Cabinet

Data Sharing Agreement Between South Australian Government/Non-Government

This agreement is to facilitate data sharing between one or more South Australian government agencies and one or more non-government organisations under the *Public Sector (Data Sharing) Act 2016.* It incorporates additional Ministerial approval.

For South Australian government agencies sharing data with each other or with ODA, or for adding an addendum, use the templates found here.

Agencies and organisations must demonstrate that their data sharing project, program, or activity aligns with the trusted access principles for sharing data under the Act. These principles are also known as the *Five Safes.*

The agency or organisation requesting data completes the majority of this form. Prior to submission, we recommend that you:

1. consult with your data custodian and the data provider
2. understand roles and responsibilities in relation to the Act and to each other
3. prepare (and attach) a Project Plan, or Scoping document that provides further detail about the data sharing activity.
4. share and discuss the draft data sharing agreement with ODA to ensure compliance with the Act.

Upon completion, **the completed (signed) data sharing agreement** must be lodged with ODA in order to meet annual reporting requirements under the Act. Upon receiving the agreement, a reference number will be issued by ODA.

For further enquiries, assistance completing this form or to lodge a completed data sharing agreement please contact ODA via email at OfficeForDataAnalytics@sa.gov.au

1. REFERENCE NUMBER – [ODA to complete]

For official reporting purposes, the *Public Sector (Data Sharing) Act 2016* requires ODA to provide a reference number for each data sharing agreement. ODA will enter this reference number on lodgement of your completed form.

Reference number for this agreement:

Date lodged with ODA:

Date of final signature:

2. AGENCY/ORGANISATION STAKEHOLDERS

Data sharing agreements can cover one way transfer of data and/or bilateral/multilateral exchanges where agencies/organisations provide each other with data. List all agencies/organisations and their involvement in this agreement.

1. Agency/Department/Organisation	
Data Custodian	
Phone number	

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Email	
Physical address	
Data recipient/data provider/both	

2. Agency/Department/Organisation	
Data Custodian	
Phone number	
Email	
Physical address	
Data recipient/data provider/both	

3. Agency/Department/Organisation	
Data Custodian	
Phone number	
Email	
Physical address	
Data recipient/data provider/both	

3. DATA SHARING PROJECT, PROGRAM OR INITIATIVE

DETAILS
Briefly describe the project/program/initiative and its anticipated outcomes. (More detail can be attached in a Project Plan or Scoping document.)
How will the data requested help achieve these outcomes?
Are there any time constraints surrounding the request (e.g. is data required by a certain time)?

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Does your project/program/initiative require other approvals (e.g. Human Research Ethics Approval, legal and/or financial)?
☐ Yes ☐ No If yes, what stage are you in acquiring these approvals?

4. RISKS AND BENEFITS

RISK ASSESSMENT
What are the risks of not undertaking this project/program/initiative?
What are the risks of undertaking this project/program/initiative?
Can these risks be mitigated? Please briefly state strategies for mitigating risks if known.

PUBLIC BENEFIT
Briefly quantify any potential savings, improved efficiencies, or other operational benefits of the data sharing.

5. DETAILS OF DATA REQUESTED

DATA SPECIFICATIONS
Provide details of the data you require. Consider dates, geographic locations, age groups or agency-specific categories. Note – you can request additional data at a future time if necessary.

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Specify the frequency of data transmission requested (e.g., one-off vs. ongoing real-time).
☐ One-off. Specify when this will occur: _____ ☐ Continuous/periodic sharing. Provide details of frequency: e.g. weekly
Date of transmission (if applicable):
How is data transfer security and service interruption (e.g. outages or systems offline) handled? Include details such as encryption (using an ASD approved method for data classification) and/or service levels/outage notification.

6. TRUSTED ACCESS PRINCIPLES – THE FIVE SAFES

SAFE PROJECTS – the purpose for which data is to be shared and used must be appropriate.
Select at least one purpose for the data being requested.
☐ To enable data analytics work to be carried out on the data to identify issues and solutions regarding our agency's policy making, program management and/or service planning/delivery ☐ To enable our agency to facilitate, develop, improve or undertake our agency's policy making, program management and/or service planning/delivery ☐ To assist in law enforcement ☐ To assist in emergency planning and/or response *Note: If your request does not fit into one of these categories, data cannot be shared under the framework of the Act.*
Is there a risk of loss, harm or other detrimental impact to the community if the sharing and use of the data does not occur?
☐ Yes ☐ No If Yes, provide details below.
Has your project/program/initiative been endorsed as "safe'' by an appropriate authority?

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☐ Yes ☐ No

If Yes, specify the authority:

SAFE PEOPLE – the public sector agency requesting the data must be an appropriate agency.

Do your staff possess the technical requirements (e.g. equipment, software) and knowledge (e.g. skills and experience) to effectively use the requested data for the proposed purpose?

☐ Yes ☐ No

Provide specific details below.

Will your agency restrict access to the requested data to people with appropriate security clearances, role descriptions or qualifications? This is particularly relevant to the access needs of technology staff.

☐ Yes ☐ No

Provide specific details below.

How will you enforce these restrictions?

Will the agency providing the data also provide support to use the data for the proposed purpose?

☐ Yes ☐ No

If Yes, outline the nature of the support below.

Are all parties invested in the outputs?

☐ Yes ☐ No

If Yes, provide more information below.

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SAFE DATA – data to be shared and used for a purpose must be appropriate for that purpose.
Data containing personal information must be de-identified before it is shared except in specific circumstances. Do you require personal information to remain identified?
☐ Yes ☐ No If Yes, select one or more of the following circumstances: ☐ the person to whom the personal information relates has consented to the sharing and use ☐ the sharing and use of the personal information is reasonably related to the original purpose for which it was collected and there is no reason to think that the person to whom the information relates would object to the sharing and use ☐ the sharing and use of the personal information is in connection with a criminal investigation or criminal proceedings or proceedings for the imposition of a penalty ☐ the sharing and use of the personal information is in connection with the wellbeing, welfare or protection of a child or children or other vulnerable person ☐ the sharing and use of the personal information is reasonably necessary to prevent or lessen a threat to the life, health or safety of a person ☐ the purpose of the sharing and use of the personal information cannot be achieved through the use of de-identified data and it would be impracticable in the circumstances to seek the consent of the person to whom the information relates *Note: If your request does not meet at least one of these criteria, data must be de-identified before it is shared under the framework of the Act*
Are there any potential data quality, matching, reconfiguration, interpretation or other issues regarding the data being requested?
☐ Yes ☐ No If Yes, provide specific details below.

SAFE SETTINGS – the receiving agency's environment for storing, accessing and using data must be appropriate.
Where will the data be stored and used? Specify physical locations of data, data centres, removable media, staff accessing data etc.
What security and technical safeguards are in place to ensure data remains secure and protected from unauthorised access and use (e.g. governance, physical safeguards, personnel and cyber security arrangements). Safeguards MUST align with the classification of the information being shared - aggregated information may increase classification.

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Based on these safeguards, is the likelihood of accidental disclosure or access low?
☐ Yes ☐ No Provide specific details below.
How will the data be dealt with after it has been used for this purpose?

SAFE OUTPUTS – the publication or other disclosure of the results of data analytics work conducted on data must be appropriate.
Will the results of the data or analytics work conducted on the shared data be published or disclosed?
☐ Yes ☐ No If Yes, specify the nature of the proposed publication or disclosure below.
Who is the likely audience of the information, publication or disclosure?
What is the likelihood and the extent to which the publication or disclosure may contribute to the unauthorised identification of a person in the data?

7. INTRA-AGENCY/ORGANISATION COMMENTS

Data requestor/s – outline additional comments to the data provider/s to support your request
Name of agency/organisation _____ Details: Name of agency/organisation_____ Details:

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Data provider/s – outline additional requirements for the data requestor/s to follow.
Name of agency/organisation _____ Details: Name of agency/organisation _____ Details:

8. SUPPORTING DOCUMENTATION

List supporting documents submitted with this form (e.g. Project Scoping document).
1. 2. 3.

9. SIGNATURES AND APPROVAL

Please ensure the signatories have appropriate delegation to authorise this request (e.g. data custodian, executive/Chief Executive or Minister).

1. Agency/Department/Organisation	
Data Custodian	
Phone number	
Email	
Physical address	
Data recipient/data provider/both	
Signature	
Date	

2. Agency/Department/Organisation	
Data Custodian	
Phone number	

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Email	
Physical address	
Data recipient/data provider/both	
Signature	
Date	

3. Agency/Department/Organisation	
Data Custodian	
Phone number	
Email	
Physical address	
Data recipient/data provider/both	
Signature	
Date	

Minister	Hon Andrea Michaels MP Minister for Consumer and Business Affairs
Delegate	Peter Worthington-Eyre Chief Data Officer – Department of the Premier and Cabinet
Signature	
Date	

The *Public Sector (Data Sharing) Act, 2016* requires the preparation of an Annual Report about the operation of the Act. Details from all approved data agreements will be included in the report.