

Data access and transfer procedure

This is a mandated procedure under the operational policy framework. Any edits to this procedure must follow the process outlined on the [creating, updating and deleting policy documents](#) page.

Overview

This is an overview of procedures relating to the release, storage, use of and eligibility to request access to data collected and managed by the department.

Scope

This procedure relates to all data gathered, maintained and managed in the department on behalf of the Minister and apply to both internal and external requests for data access.

The department cannot give access to data that is owned or managed by the non-government sector or other government agencies or legislated bodies. Requests to access such data must be made to the relevant authority.



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Detail

Access to department data

All requests for access to department data will be considered in line with the:

- [South Australian Government's Information Privacy Principles](#) (IPPs)
- [Privacy Act 1988 \(Cth\)](#)
- [Freedom of Information Regulations \(SA\)](#)
- [South Australian Declaration of Open Data \(PDF 345KB\)](#)
- [Principles on open public sector information as developed by the Office of the Australian Information Commissioner](#) (OAIC).

Where data already exists in the public domain, the department will direct requests for access to the location of this information.

Data requests

To request access to internal or external data contact:

System Performance Helpdesk

Email: education.systemperformancehelpdesk@sa.gov.au

Phone: 1800 316 777

Assessment of data access requests

The department will maintain rigorous processes to assess requests for data access and ensure transparency in its response.

All requests for access to department data will be considered on a case by case basis in line with relevant legislation and protocols to ensure compliance with privacy and confidentiality requirements and intellectual property guidelines. Decisions will be subject to the approval of the authorised departmental data custodian, in line with the department [data ownership and custodianship procedure \(PDF 120KB\)](#).

Requests for pre-published or sensitive data will be assessed within the framework set by this procedure and decisions made about the appropriateness of release, treatment of the data and any conditions to be applied, including any charges for data extraction and processing.

In considering requests for access to data that is not publicly available, the department will consider the:

- extent that the data is 'fit for purpose'; that is, how closely aligned the request is to the original purpose of the data collection
- extent that the department and the broader community will benefit from the proposed analysis or research

- extent that individual privacy and confidentiality will be protected, including how the data will be used, disclosed, stored and destroyed
- integrity of the applicant and previous history of compliance with the terms and conditions of any previous data release
- technical feasibility and workload associated with delivering the requested data
- inherent level of risk for the departmental data custodian if the information requested was to be released.

Subject to final approval, the relevant department data custodian will also advise the authorised requestor of any additional conditions of data release, the approximate timing of the release and the proposed mechanism for data transmission. They will also inform the authorised requestor in writing of the reasons for any request not being approved.

Date data requested may not be the date that the data is actually provided and therefore may need to be negotiated between the authorised requestor and the relevant departmental data custodian.

Approval of data access requests

Once assessment of the request is complete and approved, the data will be released by the relevant departmental data custodian to the nominated authorised requestor.

The authorised requestor will be responsible for ensuring that the data is used in line with the agreed purpose and that conditions outlined in the data request form and this procedure are met. This includes specific requirements relating to data storage, security, disposal, transferability and publication as outlined in conditions of data release in this procedure.

Conditions of data release

Privacy and confidentiality

Where information about an individual can be extracted from the data through analysis or extrapolation, the data itself will fall under the definition of personal information. This is in line with the:

- [South Australian Information Privacy Principles](#)
- [Privacy Act 1988 \(Cth\)](#).

Therefore data that, in the considered view of the department, poses the risk of unlawfully identifying one or more individuals will be confidentialised before its release. This may be achieved by:

- suppressing data
- removing data
- by de-identifying data to a level necessary to prevent the identification of an individual and/or site.

This will make sure that privacy is maintained and, in the case of student or school performance data, to maintain student and school anonymity.

Information classification

Classification markings are used to indicate the value of the information and security controls to be applied according to its classification level. These levels govern the protection requirements for this information and/or assets during use, storage, transmission, transfer and disposal.

Information must be classified to suitably reflect its:

- importance
- degree of sensitivity
- protection requirements.

Classifications should be periodically reviewed.

Once assigned a classification, the information must be appropriately handled to adhere to protection controls for confidentiality, integrity and availability as well as any other special handling measures applicable to the defined classification of the information.

Purpose and use of data

The data must only be used for the purpose described in the approved data request form. Any variation to that use, including variation of or addition to an approved research project, must be formally requested and approved through submission of a new data request form.

The data received by the authorised requestor must not be disclosed to other individuals or to organisations other than the intended audience outlined in the approved data request form.

Any attempt to re-identify information that has been de-identified for the purpose of maintaining privacy and confidentiality is strictly prohibited.

Research purposes are to be restricted to only the research project described in the approved data request. If data is required for an additional purpose, a new data request form must be submitted.

Data security

The collection, storage and use of the department data is governed by the [South Australian Information Privacy Principles](#) that have been established by the [Privacy Act 1988 \(Cth\)](#) and state privacy laws.

Any department data provided by data custodians in response to a request must be securely stored by the authorised requestor to prevent unauthorised or accidental access, modification, loss, damage, copying or usage. Procedures must be put in place to protect the information whilst in transmission.

Data disposal

All data provided pursuant to this document, including any duplicate copies, or other copies created through manipulation of the original data, must be returned to the issuer and/or deleted, physically destroyed or rendered irrecoverable at the time specified in the notification of approval. The authorised requestor must clearly outline the disposal arrangements in the data request form.

Intellectual property

Data owned by the department is a form of intellectual property. By approving the use of departmental data, the department does not transfer any rights of ownership of the data, but grants the user or researcher a licence to use the data only for the specified purpose and period.

Publication

All published analysis will ensure that individuals and schools cannot be identified except where explicitly approved in writing by the relevant data custodian. Any tables, graphs or commentary derived from the use of the department provided data must protect the identity of individuals and schools.

Data transfer

Data will be transferred by an authorised data provider (or delegate) to the authorised requestor by way of an encrypted secure file transfer system.

Roles and responsibilities

Data requestors

Submit an accurate and complete data request form to System Performance Helpdesk.

Secure storage and disposal of data provided by the department.

System Performance Division

Assess and approve data requests.

Provide data in an appropriate and secure format.

Maintain a register of authorised data requestors.

Supporting information

Related legislation

[Education and Children's Service Regulations 2020 \(SA\)](#)

[Privacy Act 1988 \(Cth\)](#)

Related policies

[Data ownership and custodianship procedure \(PDF 120KB\)](#)

[Department of the Premier and Cabinet Circular PC012 – Information Privacy Principles \(IPPS\) Instruction](#)

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Contact

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