



**GPA**

Global Privacy Assembly

# Working Group on Data Sharing for the Public Good

## Report – July 2022

Office of the Information Commissioner, Bailiwick of Jersey

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## Executive Summary

I am very pleased to present my first annual report on the activities of the GPA Data Sharing Working Group.

Following the adoption of the GPA Resolution on Data Sharing for the Public Good in Mexico, in October 2021, the GPA Secretariat has changed, as has the leadership of the former Covid-19 Working Group. I accepted the position of Chair in May 2022, with the first meeting of the new Data Sharing Working Group taking place in June 2022.

Much of the work of the Working Group thus far has been centred around building the group and ensuring a good global representation of Data Protection Authorities. Given the late constitution of the Working Group, progress on the objectives adopted in the Resolution has been limited. The subject of data sharing is vast, and as such it has been the priority of the Working Group to identify the main data sharing issues affecting each of the membership jurisdictions.

The Working Group resolved to meet every two weeks initially to ensure momentum is maintained and with the objective of focusing members' minds on the key issues. We also welcomed visiting speakers, Christian Reimsbach-Kanoutze from the OECD to lead the group through the OECD's recommendations arising from the OECD Council Report on Enhancing Access to and Sharing of Data, as well as Lori Baker from the Dubai International Finance Centre who spoke about her organisation's work in data sharing for the finance sector in Dubai.

At the time of writing, work is underway to create a survey for Working Group members, with the aim of identifying the key issues affecting Data Protection Authorities. Once the results of this survey have been assessed, the Working Group will undertake a workshop in late 2022 to set a programme of work for 2023.

In terms of the actions of the Working Group, the adopted resolution on the Assembly's Strategic Direction (2021-23) provides that the objective of the Data Sharing Working Group is to:

- *Deliver and promote a compendium of best practices on data sharing for the public good, for data protection and privacy authorities to use in conversations with governments and other stakeholders to demonstrate what good data sharing practice looks like, and to highlight key principles.*

This objective links to 3 strategic priorities of the GPA:

1. SP1 – Advancing global privacy in an age of accelerated digitalisation.
2. SP2 – Maximise the GPA's voice and influence.
3. SP3 – Capacity building for members.

## Introduction

The Data Sharing Working Group (hereafter “the DSWG”) was established by the [Resolution on Data Sharing for the Public Good](#) during the 42<sup>nd</sup> GPA Conference in Mexico City, 2021.

That Resolution resolved to:

**Acknowledge** the need to continue and broaden the work of the Covid-19 Working Group and evolve its mandate to focus on data protection and privacy issues and concerns related to sharing of personal data as the global pandemic response shifts towards economic recovery.

**Establish** a Working Group on data sharing for the public good. The new Working Group will continue the work of the Covid-19 Working Group and will:

- i. Focus on identifying practical and pragmatic approaches on how personal data can be shared and used to enable innovation and growth while protecting individual rights and promoting public trust and provide principles and best practices on key components of data sharing for public good;
- ii. Collaborate with relevant stakeholders, such as international networks, civil society organisations, and privacy advocates, on efforts geared towards strengthening capacity of GPA members and observers to tackle emerging challenges related to data sharing;
- iii. Develop proactive responses on any emerging data protection and privacy concerns relative to the sharing of personal data, for example, on areas of concern identified in the surveys on emerging data protection and privacy issues, such as health passports, health monitoring of incoming travellers and returning nationals, contact tracing measures, handling of children’s or student data in e-learning technologies;
- iv. Consult with the GPA Reference Panel on emerging policy ideas to consider integrating into future approaches towards data sharing; and
- v. Report on the progress of the Working Group, and the scope of any related considerations for future working arrangements, to the 2022 closed session.

The DSWG is composed of the following members:

- Jersey, Office of the Information Commissioner (**JOIC**) (**Chair**)
- Office of the Australian Information Commissioner (**OAIC**)
- National Privacy Commission of the Philippines (**NPC**)
- Data Protection Commission of the Dubai International Finance Centre (**DIFC**)
- Organisation for Economic Development and Cooperation (**OECD**)
- European Data Protection Supervisor (**EDPS**)
- Germany, Bundesbeauftragte für den Datenschutz und die Informationsfreiheit (**BfDI**)
- Office for Personal Data Protection of Macao (**GPDP**)
- Israeli Privacy Protection Authority (**IPPA**)

- Canada, Office of the Privacy Commissioner (**OPC**)
- Ontario Office of the Information and Privacy Commissioner (**OIPC**)
- Burkina Faso, Commission de l'Informatique et des libertés (**CIL**)
- Japan, Personal Information Protection Commission (**PPC**)
- UK, Information Commissioner's Office (**ICO**)
- Hong Kong, Office of the Privacy Commissioner for Personal Data (**PCPD**)
- Switzerland, Federal Data Protection and Information Commissioner (**FDPIC**)
- US Federal Trade Commission (**FTC**)
- UN Global Pulse (**UNGP**) (Observer)

The composition of the DSWG reflects the geographical diversity of the GPA.

At the time of writing, the DSWG has met three times (31 May (introductory meeting), 29 June and 12 July) by videoconference.

During these meetings, the DSWG has:

- Established the membership of the group;
- Conducted a short webinar with speakers from the OECD and DIFC;
- Commenced work on the content questions for a survey of the DSWG membership.

## Working Group Activities

In conformity with the objectives of the Resolution, the members of the DSWG have set themselves the following general goals:

- to focus on identifying practical and pragmatic approaches on how personal data can be shared and used to enable innovation and growth while protecting individual rights and promoting public trust and provide principles and best practices on key components of data sharing for public good;
- to develop proactive responses on any emerging data protection and privacy concerns relative to the sharing of personal data, for example, on areas of concern identified in the surveys on emerging data protection and privacy issues (conducted by the former GPA Covid-19 Working Group), such as health passports, health monitoring of incoming travellers and returning nationals, contact tracing measures, handling of children's or student data in e-learning technologies.

In order to achieve these two goals, the DSWG decided to implement the following activities:

- Understand the data protection and privacy issues faced by Data Protection Authorities in relation to data sharing for the public good;
- Establish relationships with relevant actors and organisations, to maximise the reach of the GPA's voice in relation to data sharing;
- Collaborate with other relevant Working Groups of the GPA, produce documents and advocacy tools for better consideration of data protection and privacy;
- Build the capacity of Data Protection Authorities when dealing with issues of data sharing for public benefit.

Since the first meeting of the DSWG at the end of May 2022, the DSWG has met three times at the time of writing and has conducted the following activities:

1. Established the membership of the group;
2. Conducted a short webinar with speakers from the OECD and DIFC;
3. Commenced work on the content questions for a survey of the DSWG membership.

In relation to point 3 above, the DSWG sought suggestions from the membership on what questions should be included in the survey to illicit responses of maximum value. At the time of writing, these questions are being analysed and formatted into the survey content. The Chair would like to thank the UK ICO for their work in helping to prepare the survey.

The purpose of the survey will be to understand and assess the issues and concerns facing Data Protection Authorities in terms of personal data sharing. The results of the survey will form the basis of a workshop planned to take place towards the end of 2022 designed to 'deep dive' into the issues and identify practical and pragmatic approaches on how personal data can be shared and used for public benefit. The DSWG will then be split into two sub-groups; one working on developing proactive

responses on any emerging data protection and privacy concerns relative to the sharing of personal data, and the other working on building the capacity of Data Protection Authorities when facing data sharing issues.

The results of these two strands of work will then form the basis of the development of a compendium of best practices on data sharing for the public good. The timeline for completing this piece of work will be decided before the end of 2022 when determining the work plan for 2023.

## Action Plan 2022-2023

The work of the DSWG will focus on the advancement of privacy protection worldwide, the promotion of high data protection standards as stated in the GPA [Resolution on the Assembly's Strategic Direction \(2021-23\)](#). It will also work towards maximising the GPA's voice and influence by strengthening relations with other international bodies and networks.

To this end, the DSWG intends to focus essentially on:

- Health data sharing for the public good;
- Identifying practical and pragmatic approaches and developing proactive responses on any emerging data protection and privacy concerns relative to the sharing of personal data;
- Developing a compendium of best practices on data sharing for the public good and updating the Covid-19 compendium of best practices, if members identify such a need;
- Capacity building of Data Protection Authorities in reference to data sharing approaches and practices.
- Maintaining and exploring possible synergies with other GPA Working Groups and external stakeholders;
- Continue to promote the work of the GPA and the DSWG by actively participating in various meetings, conferences, training sessions related to the objectives of the DSWG with external stakeholders in order to maintain and continue to explore possible synergies;

The action plan 2022-2023 will be discussed and adopted at the first DSWG meeting following the conference in November 2022.

## Conclusion

As Chair of the DSWG it is an honour to lead on this important topic to further the activity of the former Covid-19 Working Group and contribute to the overall strategic objectives of the GPA. The work of the former Covid-19 Working Group recognised the importance of the use and processing of personal data, such as health and consumer data, to mitigate health risks and develop innovative digital solutions in research. It also understood that the sharing of personal data, including cross-border data sharing between governments and the private sector remains a crucial tool in an effective response to the global pandemic. Furthering this work by broadening the scope of the working group will be critical in laying the foundations for future data sharing practices.

Sharing personal data in a privacy protective manner can inform policy and decision-making, and provide for efficiencies in service delivery for citizens across the globe, as well as improving public services and business effectiveness. However, the importance of establishing appropriate and pragmatic privacy and data security safeguards as part of any data sharing initiatives cannot be underestimated. Furthermore, public and private organisations will need to play a key role and understand what is meant by the notion of 'public good'. They will need to be cognisant of ethical data sharing practices and work in partnership with DPAs for the benefit of global society. The DSWG recognises that this is not an easy task given the scale of the subject matter with which we are tasked. However, I am confident that as an experienced team spanning all corners of the data protection community, we will successfully deliver on our objectives throughout 2023.

**Paul Vane**

Information Commissioner, Bailiwick of Jersey