

הלשכה המרכזית לסטטיסטיקה Central Bureau of Statistics دائرة الإحصاء المركزية

Access to microdata for research at ICBS: legislation, current practice and initiatives for change

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It's All in the Numbers





- What is the ICBS
- Relevant legislation
- Current practice
- Initiatives for change

What is the ICBS



- Israel Central Bureau of Statistics
- Independent department of the Prime Minister's office
 - Headed by the Government
 - Statistician
- Source of authority: The Statistics
 Ordinance [New Version], 1972



The Statistics Ordinance

- Main functions of ICBS
 - Publish results of statistical activity
 - Cooperate with State agencies
 - -Government offices
 - -Statutory bodies
 - -Academic institutions
 - -Research institutes recognized by the Govt. Statistician



- The Statistics Ordinance
 - Publication the prerogative of the

Government Statistician

- Publication of aggregates
- Publication of microdata

Central Bureau of Statistics دائرة الإحصاء المركزية

- The Statistics Ordinance
 - Access to data
 - Surveys and censuses
 - Administrative data



The Statistics Ordinance

- Confidentiality of data

- Prohibition to publish in a manner that enables identification
- Prohibition on access to identifiable data to anyone other than "employee"
 - -Employee: any person employed in carrying out any function under the Ordinance



- The Statistics Ordinance
 - Sanction for breach of confidentiality
 - Up to three years in prison
 - Fine of up to ~ \$20,000



- The Protection of Privacy Law, 1981
 - Regulates operation of databases
 - Data to be used only for purpose for which supplied
 - Public entities can share data subject to limitations:
 - Specific purposes
 - Specific users
 - Computer security





- The Protection of Privacy Law, 1981
 - Sanction for breach of confidentiality

- Up to 5 years in prison
- Fine of up to ~ \$20,000



Public Use Files

- Under authority to "publish"
- Extremely small possibility of
 - identifying entity
 - Determination of ICBS Confidentiality Committee



- PUF Public Use Files
 - Available to public under restrictive

license

- Specific user
- Specific purpose
- Undertaking to refrain from data matching or attempting identification

Current practice



MUC - Microdata Under Contract

- Under authority to publish
- More detailed than PUF
 - Small chance of identifying entity



MUC

- Data sets
 - Usually custom made for fee
 - -often integrate survey and administrative data
 - -use of administrative data subject to approval by data provider
 - -responsibility of the subject matter department
 - » to prepare
 - » to vet output



- MUC Microdata Under Contract
 - Provided to researchers in a manner that does not enable identification
 - Researchers from academia or recognized research facility
 - Under research contract
 - -Undertaking to refrain from data matching or attempting identification
 - -Sanctions against researcher and institution for breach



- MUC Microdata Under Contract
 - Available only in a safe environment
 - That prevents data linking
 - That prevents sharing the file
 - That enables checking output by ICBS
 - Old Remote Access System out of commission
 - Current use only within ICBS Research
 Room



- Research Room
 - Under authority of function to cooperate with State agencies
 - Research approved by the Deputy Govt.
 - Statistician as of interest to the ICBS
 - Data is anonymized but identifiable
 - Both individual data and business data



- Research Room
 - Data sets
 - Custom made for fee
 - -often integrate survey and administrative data
 - -use of administrative data subject to approval by data provider
 - -responsibility of the subject matter department
 - » to prepare
 - » to vet output



Research Room

- Researchers from State agencies

- Government offices
- Statutory bodies
- Academic institutions
- Research institutes recognized by the Govt. Statistician



Research room

- Researchers

- Engaged as volunteer "employees" carrying out a function under the Ordinance
- Subject to confidentiality requirements under contract and under the Ordinance
- Subject to criminal sanctions under the Ordinance for breach of confidentiality



- Research Room
 - Safe environment
 - Access to authorized researchers
 - All data output vetted for confidentiality



- Research Room
 - Physical research rooms at ICBS in Jerusalem, at ICBS office in Haifa, and planned for ICBS office in Tel Aviv
 - Remote Access Research Room at Bank of Israel
 - All data and applications on ICBS server
 - Access from safe room at the Bank of Israel
 - All output vetted by ICBS



ICBS Confidentiality Committee

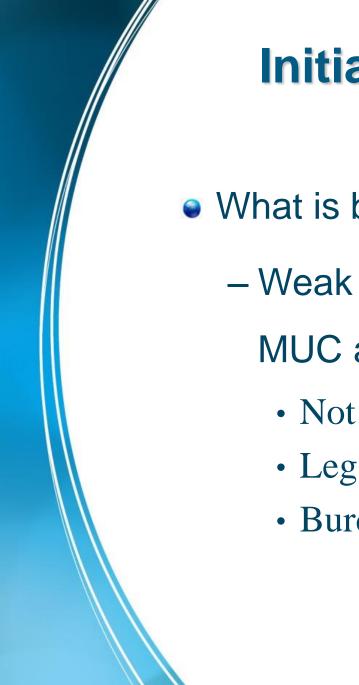
- Classifies datasets:
 - PUF according to disclosure risk
 - MUC according to disclosure risk
- Vets Research Room datasets
 according to relevance to the research

Current practice



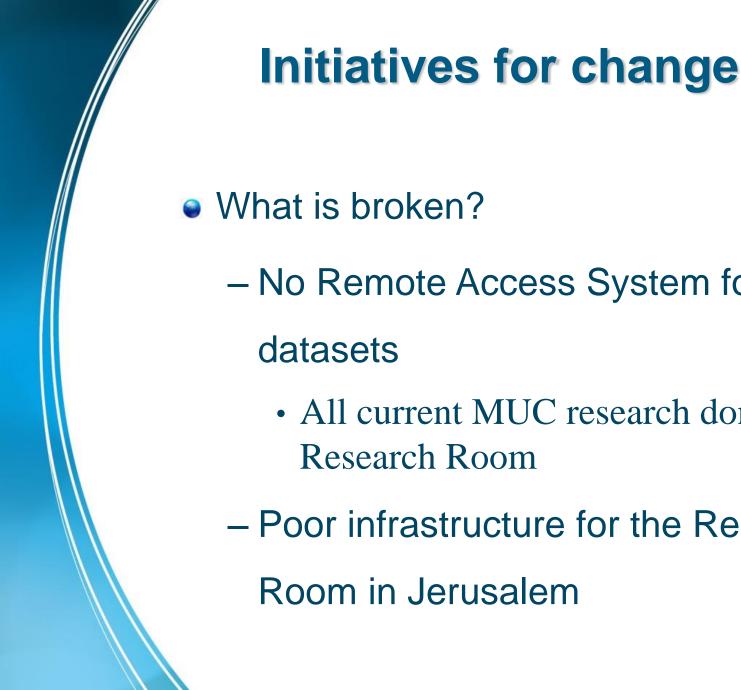
ICBS Committee on Transferring Data
 Between Public Bodies

- Functions under the Protection of
 Privacy Law
- Oversees requests to use administrative data for MUC or Research Room datasets





- What is broken?
 - Weak and convoluted legal basis for
 - MUC and Research Room
 - Not efficient
 - Legal doubts
 - Burden on researchers



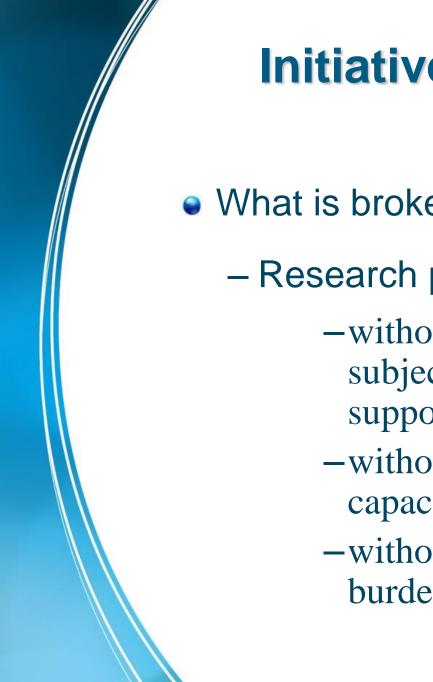


- What is broken?
 - No Remote Access System for MUC
 - All current MUC research done in a **Research Room**
 - Poor infrastructure for the Research
 - Room in Jerusalem





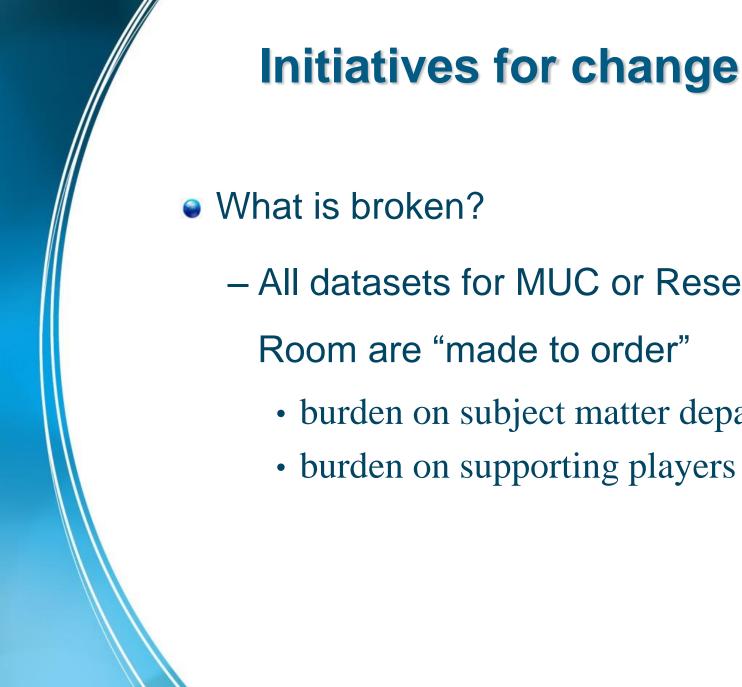
- What is broken?
 - Nobody is in charge
 - No overall strategy
 - No overall budgeting







- What is broken?
 - Research proposals approved:
 - -without consideration for burden on subject matter department and support departments
 - -without consideration for physical capacity of Research Room
 - -without consideration for budgetary burden





- What is broken?
 - All datasets for MUC or Research
 - Room are "made to order"
 - burden on subject matter departments
 - burden on supporting players



- Changing the legal framework
 - The Second Eckstein Committee
 - Representatives from research community, data suppliers and govt. privacy oversight lawyers
 - Resulted in
 - -general outline of principles
 - -rough draft of amendment to the Statistics Ordinance
 - Failed to engage govt. privacy oversight lawyers in a final draft of the above



- Changing the legal framework
 - Rough draft of the amendment
 - Enables the Govt. Statistician to authorize researchers associated with one or more of the following research institutions
 - -institutions of higher education
 - -research institutes recognized by the Govt. Statistician
 - research departments in government offices or statutory bodies recognized by the Govt. Statistician





Changing the legal framework

- Rough draft of the amendment

- Enables the Govt. Statistician to authorize scientific or statistical research
 - -by authorized researchers in the field of their research
 - -on anonymized but identifiable data
 - -subject to the provisions of the law





Changing the legal framework

- Rough draft of the amendment

- The Govt. Statistician will publish his decisions to recognize research institutions
- The Govt. Statistician will publish information on research carried out pursuant to these provisions





Changing the legal framework

- Rough draft of the amendment
 - The implementation of these provisions will be according to regulations set by the Govt. Statistician approved by the Prime Minister and the Minister of Justice



- Changing the legal framework
 - Rough draft of the amendment
 - The regulations will cover, inter alia
 - criteria for recognizing research institutes
 - criteria for authorizing researchers
 - criteria for approving research proposals
 - procedures relating to preservation of confidentiality
 - procedures regarding publication of the Govt. Statisticians decisions and information on research





- Changing the legal framework
 - Rough draft of the amendment
 - Criminal sanction for breach of confidentiality by authorized researcher –Up to three years imprisonment
 - -Fine of up to ~ \$20,000



- Changing the legal framework
 - Rough draft of the amendment
 - Obligation of heads of research institutions to ensure that authorized researchers do not breach confidentiality
 - Criminal sanction (a fine) for not doing the above
 - Rebuttable presumption of liability of head of research institution if researcher breaches confidentiality





- Changing the legal framework
 - Rough draft of the amendment
 - Extraterritorial jurisdiction of Israeli law for breaches of confidentiality outside of Israel's borders





New technological infrastructure

- Replacing the old MUC Remote
 Access System
 - Looking for financing
 - Must be complemented by appropriate administrative structure
- Moving the current Research Room in

J'lem to a more secure environment





Changing the administrative, logistical and workflow structure

Appointment of ICBS mid-level
 director to oversee microdata access
 for research

- This Twinning Project



Thank you for your attention