

Data Confidentiality Policy at Statistics Denmark

1. Statistics Denmark's data confidentiality policy

Aim of the policy Statistics Denmark collects and compiles information about individual persons and companies. This information is confidential. Furthermore, the statistical production process may generate information regarded as confidential. This includes de-identified individual data, tables with high level of detail, or statistics not (yet) published. The data confidentiality policy sets out guidelines for what is confidential, who may have access to this information, what you may have access to, and how any knowledge gained may be used.

1.1. Handling of confidential information

Sensitive information It is Statistics Denmark's policy not to process information about individuals' affiliation to political parties. Religious issues are addressed only in terms of eventual membership of the Danish Church, and sexual relations only in terms of any registered partnership. Information about racial or ethnic background is not treated. Information on nationality and country of birth is not perceived as ethnic background.

Notification to the Data Protection Agency Statistics Denmark's treatment of confidential information is notified to the Data Protection Agency in accordance with the provisions of the Act on Processing of Personal Data. Furthermore, there are established rules for access to these data.

Access to identifiable information The rules imply that only staff of Statistics Denmark have access to directly identifiable individual information and this is limited to an extent and for purposes that are professionally justified. Employees sign an obligation to professional secrecy and are informed about the general provisions of the Public Administration and Criminal Law on this.

Non-identifiable micro data Non-identifiable individual data (micro data) are regarded as confidential if the nature and composition of the information allows indirect identification, or if an attached individual serial number can be converted to the original identification. The treatment of such information is therefore subject to the same rules that apply to identifiable information.

Access for researchers Non-identifiable micro data can be made available for research projects through a remote access to data sets stored in Statistics Denmark. This is accommodated through Statistics Denmark's *researcher arrangement* specifying the terms and conditions, or by *special agreement* between Statistics Denmark and another public authority on the analysis and feasibility studies in selected areas (<http://dst.dk/en/TilSalg/Forskningsservice.aspx>). Both situations are covered by the Administration Act and the Criminal Code provisions on confidentiality.

1.2. Disclosure of information

Tables are the rule As a rule, Statistics Denmark delivers information in the form of tables. The requirements for the degree of detail may imply that there may be recognizable single observations. If this allows obtaining new knowledge about a person or company, data must be confidentialised, which means deleting, grouping, or otherwise obscuring the observations in such a way that such knowledge cannot be deduced from the table, or via comparison with other tables. However, public authorities, seen as companies, are in principle not entitled to anonymity in statistics, since it is an

essential component of a democratic society that citizens have access to information about how services operate.

Similarly, public authorities cannot claim anonymity in micro data available for research use. Access to information that can be attributed to certain public authorities (e.g. schools, hospitals, universities) can be given to projects where there is an objective justification.

Non-disclosure of confidential information

Statistics Denmark will not disclose confidential information. However, in accordance with applicable law and by Board decision, information may be passed on in the following cases:

Few exceptions

- In an exchange of information
 - between the authorities which make up the European Statistical System in relation to the production of European Statistics
 - with the Danish Central Bank
 - with other statistical institutions
- Disclosure of information as part of a formal collaboration on the production of concrete statistics with another institution / authority.

The National Statistician takes the decision on application of these exceptions.

1.3. Unpublished material

Confidentiality in the processing phase

Tables and other statistics as well as all drafts of articles in publications from Statistics Denmark are confidential until the time of publication. The same goes for texts for all other releases from Statistics Denmark. After publication, all draft text remains confidential.

Release for publication

As a general rule, the detailed figures for a statistics are released for publication when the main results are published. More detailed figures can then be given to persons or authorities outside of Statistics Denmark. If the material is passed on once, it must on request be given to everyone. There must be "equality of numbers".

2. Ensuring the confidentiality of social and demographic statistics

All personal data must be confidentialised

Information in statistical outputs that can be attributed to individuals must be confidentialised. The need for confidentialising is dependent on the use and storage, as well as any restrictions on access to information. All personal information is regarded as confidential, disregarded whether they are more or less sensitive.

Information is de-identified

Basically, statistical products are characterized in being de-identified. This means that there is no name, personal identification number (PIN) or other information that permits direct identification. Thus, an initial general degree of discretion is in place. The issue here is the extent to which further confidentialising is needed to face the possibility of indirect identification.

Feedback to the data supplier

Statistics Denmark must not give feedback to a data provider on individual errors in received data. Statistics Denmark must avoid contributing to deciding actual cases in the administrative system.

Data collection for commissioned work

Collection of data as part of a commissioned survey is regarded in the same way as the collection of Statistics Denmark's own surveys, requiring consent on an informed basis. Collection takes place in Statistics Denmark's name and it is for Statistics

Denmark to notify the treatment to the Data Protection Authority, if the data contents are not covered by previous notifications.

The sample must be extracted in accordance with the general rules for sampling, including the limitation of types of subjects that can be treated.

In connection with data collection for research and other customers, Statistics Denmark can draw a sample of persons selected and composed on the basis of certain information in Statistics Denmark's records. The sample may be defined to include only individuals from the study's target population.

If users submit data for processing in Statistics Denmark in order to correlate these with data from Statistics Denmark's records, then the data collection and transmission to Statistics Denmark must be reported by the customer to the Data Inspectorate. The other terms, including access to micro data, follow the rules of researchers' access to Statistics Denmark and the rules on confidentialisation of summarized statistics.

If the user provides a sample for use in a survey to be carried out by Statistics Denmark, Statistics Denmark requires a declaration from the customer that it complies with the rules and principles that apply to Statistics Denmark's samples. This implies in particular that the selection criteria must not go beyond what Statistics Denmark itself may use as selection criteria. An actual delivery of data to the user can only take the form of tables aggregated to a level where the identification of individuals is not possible.

3. Ensuring the confidentiality of business statistics

3.1. General rules

The main rule is active confidentialising

All business statistics – except statistics of foreign trade in goods and statistics on sales of industrial products – use *active confidentialising*.

The main confidentiality rule is the use of a *number criterion*, requiring a minimum of 3 observations in a table cell to allow the data in the cell to be published.

In addition, a further confidentiality rule is applied for economic variables (e.g. turnover or value added), namely the so-called *dominance criterion*. This means that if the 2 biggest companies / local units in a table cell together constitute a dominant share, then the confidentiality rule enters into force.

However, for all business statistics, the number of statistical units (i.e., companies, workplaces or local units) in the statistics can always be reported regardless of the number of observations, so long as it is not about variables with special identification power. Variables in business statistics with special identification force are economic and employment variables.

3.2. Special procedures

Only in foreign trade and production: passive confidentialising

In the statistics on foreign trade in goods and production statistics, *passive confidentialising* and *primary confidentialising* are applied, i.e. companies themselves have to ask for confidentialising. The reason is that the statistics have the commodity item as the statistical unit, not the company / local unit / workplace. It is therefore

extremely difficult to deduce information about individual reporting units in these statistics.

Publication of detailed trade statistics can, however, in some cases be detrimental to the companies that report to the foreign trade statistics. These companies may therefore ask Statistics Denmark for confidentialising of their information in the publication of foreign trade statistics.

Rules Statistics Denmark's Board has decided that the following three criteria must be met before the confidentialising in external trade statistics is acceptable:

- 1 Dominance Principle** A single firm's trading alone, or together with one other firm's trade value, should exceed 85 per cent of total trade for:
- a) a given product in total, or
 - b) a given product-country combination

Imports and exports are treated separately.

- 2. Substantiality criterion** The individual firm's trading must have an annual value of at least 2 million DKK. This substantiality criterion is applied either to the total value of the firm's trading with a given product, or for a single product-country combination, depending on which of the cases a) or b) as described above, applies.

- 2. Treatment in other countries' foreign trade statistics** In cases where only country breakdown is concealed (as opposed to total confidentialising), it is not always sufficient that the above conditions are met. Statistics Denmark will not agree to demands to conceal information about a trade flow, if the transaction is published in another country's foreign trade statistics (mirror transactions).

In the statistics on foreign trade in goods, Statistics Denmark uses a combination of primary and secondary confidentialising, see section 3.3 below.

Passive confidentialising is also used for the statistics on manufacturers' sales; this means that confidentialising is only applied if the data provider himself so requests, and the number and dominance criteria are fulfilled, i.e. one or two specialized units are selling more than 85 per cent of the total sales of a particular product.

3.3. Secondary confidentialising

Determining whether data may be published takes two steps: *Primary confidentialising* where each individual group is viewed in isolation, and where the criterion is number and / or dominance. This is supplemented by a *secondary confidentialising*, performed manually, in order to prevent the user of the statistics to reconstruct the confidentialised figure for a group using the published (not confidentialised) figures for other groups.

4. Data exchange as part of a production agreement¹

The National Statistician approves the production cooperation agreement and the related data exchange. The agreement must also be approved by the Data Protection Agency. As part of a cooperation agreement, anonymised, individual information may be exchanged if it is required for the partner's processes in the joint production. A prerequisite for the delivery is the partner's acceptance of Statistics Denmark's established data protection rules for processing the individual information.

¹ A formal collaboration on the production of concrete statistics with another institution / authority.

*Statistics Denmark as Data
Processing agent*

Statistics Denmark may, as data processing agent, undertake IT related tasks for another agency. That agency is then responsible for the task. This is seen not as a data exchange, as Statistics Denmark is not the responsible owner of the relevant data.