

CESSDA and European accreditation

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From recognition of research needs to accreditation

- Research increasingly recognized and included in the legal framework at national and European levels
- Does not solve all the problems
- Controlled access for anonymized as well as for confidential data
 - Who is a researcher ?
 - What is a research ?
 - Who will be responsible for the use of data ?
 - What conditions ?
- The accreditation process

Outline

- The accreditation process : main issues
 - Who decides for criteria and procedures ?
 - Who accredits following the criteria ?
 - Who manages the accreditation ?
- Current situation regarding accreditation for access to government data at national and European level. Who is doing what ?
- Needs and challenges for the future : Building a process for European accreditation. How CESSDA as a European infrastructure could help ?

I. Main issues in the process of accreditation for access to government microdata

The accreditation process

- Distinct from the dissemination process
- 3 steps
 - Defining criteria and procedures
 - Accrediting the applicants
 - Managing the application
- Not necessarily the same actors
- Possible actors : Legislator, legal authorities, NSIs, other committees, research institutions, Data archives ...

First step : defining criteria and procedures

- The legal framework may leave open criteria and procedures.
- Who is a researcher ? What is a research ?
- What guarantees ?

Who is a researcher ? What is a research ?

- Both questions must be answered : a researcher may do analysis for other purpose, other actors may do research
- Who is a researcher ? the answer has been institutional :
 - a public statistician is a person who belongs to to public statistical institutions and is subject to the regulation of the statistical system
 - a researcher is a person subject to peer evaluation and research processes in the research institutions
- Two main processes :
 - an *a priori* process : relying on research institutions accredited by national governments (public universities and research institutions)
 - differences in research organization in the European countries
 - possibility to accredit other institutions : public vs private, research departments in banks, international organizations ...?
 - an individual examination : institutional context, publications ..
 - Additional questions :
 - Students, PHD, and post doc
 - Foreign countries

What is a research? Old and new issues

- Old issues
 - No commercial issues
 - Origin of the funding vs final destination (scientific publications, PHD dissertations)
 - Pedagogical use ?
- More recent issues
 - public policies evaluation: blurring frontiers with public statistics

What guarantees ?

- Build a system of responsibilities and legally binding conditions : signatures of agreements, contracts and end user licences
 - sue people in case of breach
 - make researchers and research institutions aware of responsibilities and of organization
 - different arrangements involving ministries, research councils, research institutions, data archives, individuals
- Specify conditions for use of data : content of end user licences
 - no reuse, no cession, protection, confidentiality, state of the art, citation, reporting publications ...
 - Main issues : destruction, submit outputs, submit papers before publication.

Second step: accredit the applicants - the screening procedure

- Information to be required
 - Personal details and institutional details
 - Purpose of the research, data, methodology, intended outputs, duration, team ...
 - The application form :
 - - highly variable although a common core
 - - may be very short or very long even for anonymized microdata
- Evaluate and accredit

Third step: manage the application

- Provide the information for application and the forms
- Have the contracts/end user licences signed
- Archive contracts/end user licences and get reports about publications based on data collections

Three steps: who is doing what ?

II Common practices and differences in the EU (CESSDA PPP survey)

Who is doing what? Different arrangements

- Different actors may be involved in the 3 steps of the accreditation process
The Legislator, Legal authorities, other committees, NSIs and Eurostat, Research institutions, Data Archives and CESSDA
- May differ according to types of data : anonymized data, tabulations, remote access, safe centres
- Who is accountable: Research institutions, Data Archives, Individuals (may be combined)

Basic configurations

- Anonymized microdata
 - NSIs only actor and NSIs + scientific committee
 - NSIs + Data Archives
- Confidential data
 - NSIs main actor + legal authorities + scientific committee only actor
 - NSIs + legal authorities + scientific committee + Data Archives
- But great variety of implementation



- **Public Use Files without any accreditation (website)**
- **Scientific Use Files** : National Data Committee (CCDHS) including NSI (INSEE) and Research Ministry defines relying on advice by a Scientific council
Data Archive in charge of accrediting and managing application
- **Confidential data**
Legal authorities established by Privacy protection law (2004), Statistical law (2008) and Archives law (2008) define criteria and procedures for accreditation and accredit. Researchers participate to *Comité du secret statistique* for accreditation.
Health Data : Expert committee advices legal authority

Researchers participate in defining criteria and procedures for SUF and in accreditation for confidential data
 Data Archives accredit for Scientific Use Files



- Confidential data
 - UK Statistic Authority (established by Statistics and Registration Service Act 2008) define criteria and procedures
 - Researchers are members of the UK Statistic Authority
 - Application through UKDA or ONS

Researchers participate in defining criteria and procedures for confidential data

Archives manage application for confidential data

Denmark and Sweden



- NSIs accredit and manage applications for access to Scientific Use Files as well as confidential data

Data Archives are not involved in accreditation nor for Scientific Use files nor for confidential data





NSI (INE) defines criteria and procedures for SUF and confidential data and accredit relying on advices by a scientific committee at Research Ministry

Scientific committee in Research ministry advices NSI (INE) for accreditation



- Scientific Use Files : NSI (SORS) and Data archives accredit registered scientific research organizations and registered individual researchers
- Accreditation for confidential data by Director of SORS. Decision prepared by Data Confidentiality Committee (producers and external data protection experts) appointed by Director of SORS

Both NSI and Data archives accredit for SUF

Norway



Confidential data

Legal authorities (Personal Data Act 2001, Statistics Act 1989) define criteria and procedures for accreditation

Data owners, e.g Statistics Norway and national health registers manage the applications for access

NSD acting as data broker to manage applications for confidential data

NSD acting as Data Protection Official for Research approve or disapprove applications (i.e) notifications of planned processing of personal data in relation to the personal data act and the health register act.



- Scientific Use Files : NSI (ISTAT) accredit researchers and research organizations. Universities, including Data Archives may have contract for their researchers but cannot accredit external researchers.
- Confidential data : ISTAT accredit researchers who belong to Research institutions that have accepted the Code of Conduct and Deontology

Accreditation of researchers for confidential data subject to the requirement that their universities have accepted the Code of Conduct and Deontology

Eurostat



- Scientific Use Files and confidential data :
Legal framework (Commission regulation) defines criteria and procedures.
Research institutions listed by national governments acts.
List of data available in the legal framework
Eurostat accredit, manages the application and contracts

Criteria and procedures in the legal framework.

Eurostat must inform NSIs. NSIs may oppose to accreditation

III. Challenges : Building a process for European accreditation. How CESSDA as a European infrastructure could help ?

An heterogeneous and complex system at national and European levels

- Information for procedures and applications in different places and not always easily accessible on websites
- Differences in arrangements (who is doing what)
- Differences in criteria for accrediting and decisions not systematically relying on advices by committees involving researchers
- A great variety of model end user licences for same type of microdata

Crossing national borders makes it worse

- Researchers from foreign countries
 - not all applications open for foreign countries, even for anonymized microdata
 - more problematic for confidential data
 - non EU researchers more problematic
- Differences in national perception of anonymization and increasing level of anonymization will increase needs for accreditation for confidential data across national borders
- Lack of knowledge about foreign research institutions may be a problem for accreditation. See results of the CESSDAPPP survey.
- Eurostat :
 - improvement but still time consuming for accreditation for anonymized microdata
 - does not fit well collaborative research when researchers belong to different institutions and countries , move ... : highly time consuming
 - Few data sets available : by Commission regulation . Time use surveys ???

How can Data Archives and Cessda help the process?

- **Needs for :**
 - easier information about applications at national and European level
 - more homogeneity and best practices in accreditation arrangements
 - easier accreditation for foreign researcher
 - easier accreditation for Eurostat anonymized microdata
 - discussions about increasing role of accreditation for confidential data
 - more resources to manage increasing number of applications (time consuming)
- **CESSDA experience**
 - Data Archives have set up agreements with NSIs for years and have considerable experience in accreditation for Scientific Use Files
 - Some now manage applications for confidential data
 - CESSDA has experience of transborder agreement allowing flexible arrangements

Conclusion

Towards a European accreditation

Future discussions for cooperation with CESSDA

- Information about applications?
- Managing applications ?
- Model license ?
- More CESSDA organizations in charge of accreditation for anonymized data ?
- Transborder agreement ?
- **Delegate to CESSDA organizations accreditation for anonymized Eurostat microdata ?**

Thanks