

29 May 2025

Via email: DATAActReview@finance.gov.au***Re: Flinders University Submission in Response to the Statutory Review of the Data Availability and Transparency Act 2022*****Executive Summary**

This submission presents Flinders University's perspectives and insights in response to the Statutory Review of the Data Availability and Transparency Act 2022. It addresses the key questions and consultation points outlined in the *Statutory Review of the Data Availability and Transparency Act 2022 – Issues Paper*.

Please note that Flinders University is currently undergoing the accreditation process under the DATA Scheme. As a result, some questions fall outside our current operational experience and are marked as *N/A (Not Applicable)*. Where relevant, we have provided general observations in place of direct responses.

Consultation Questions and Responses**1. Has the operation of the DAT Act advanced its objects?**

The Act has established a solid foundation for improving access to public sector data. Its objectives, namely enhancing availability, transparency, and public trust, are relevant and well-received by the research community. Access to this data is essential to solve Australia's main problems, some of them identified in Flinders' Wicked Problems Report (available at <https://www.flinders.edu.au/wicked-problems>).

That said, its practical use remains limited at least at this stage. With only a small number of data sharing agreements currently in place under the Scheme, it appears the legislation's full potential has yet to be realised. This suggests that implementation needs to gain momentum, particularly by active streamlining internal processes and encouraging greater participation from data custodians and users.

It is also worth recognising that schemes like this take time to implement. The Office of the National Data Commissioner (ONDC) should continue to refine and adjust the framework where needed and be given sufficient time for these improvements to take effect.

2. Do you consider that the DAT Act achieved these objects and are there areas for improvement?

The DAT Act has established a sound legal framework, but its practical application is still limited. Most public sector data sharing occurs through other channels. This indicates there are areas for improvement, such as:

- Making the process of accreditation and project approval more straightforward and faster.
- Providing clearer guidance and more real-world examples.
- Actively engaging with potential users and custodians to promote the value of joining the Scheme.

The Office of the National Data Commissioner needs to be given greater power to maximise a whole-of-government approach.

3. Does the DAT Act improve information flows between public sector bodies and accredited entities?

N/A – Flinders University is not yet accredited under the DATA Scheme and is not in a position to provide feedback about this issue.

4. How does the DAT Act add value in the wider data sharing context?

The Act adds value by offering a structured and standardised way to share public sector data. It provides clarity and safeguards that can increase confidence in data sharing, especially for complex or sensitive projects. In theory, at least, it should improve the access and usage of public sector data in many applied sectors, including research and development (R&D).

5. What changes could be made to the DAT Act or the DATA Scheme to make it more effective in facilitating access to, sharing and use of public sector data?

- Simplify the process: The accreditation and data sharing approval processes need to be faster and less onerous on organisations. Otherwise, the Scheme may not succeed due to a lack of adoption.
- Improve visibility: Publish more examples of approved projects, timelines, and outcomes to raise awareness of the Scheme and its benefits.
- Support cultural change: Encourage government agencies to see data sharing as a positive default, not a risk to be avoided.

6. Should the DAT Act be allowed to sunset?

No. The issues the DAT Act aims to address remain highly relevant. Australia needs greater transparency and improved access to public sector data. Ensuring data availability and its responsible use is critical for political stability, economic development, and maintaining quality of life, particularly in the face of current geopolitical, environmental, and social challenges.

Although adoption has been slow, allowing the Act to sunset would risk further fragmentation and deepen inequalities in access to public sector data. Instead, the Act should be retained and strengthened through targeted, practical reforms to make it more effective and easier to use.

7. Stakeholder satisfaction with the operation of the DAT Act

N/A – Flinders University is not yet accredited under the DATA Scheme and is not in a position to provide comprehensive feedback about this issue.

We have only finalised the application and can say it is very long, perhaps too comprehensive, and overfocused on compliance. This is acceptable if all the information requested is actually required. Otherwise, its content should be reviewed because a longer-than-needed application significantly slows the accreditation process. The submission process was straightforward, and we only experienced minor issues with the system used by ONDC to receive Flinders' proposal.

8. How does the operation of the DAT Act compare and interact with other existing mechanisms for data access and sharing?

N/A – Flinders University is not yet accredited under the DATA Scheme and is not in a position to provide comprehensive feedback on this issue.

That said, it is clear that most public sector data sharing still occurs outside the DAT Act, often through bespoke agreements or informal arrangements. While these approaches can be flexible, they frequently lack consistency, transparency, and strong safeguards.

The DAT Act has the potential to offer a more reliable and transparent framework that serves the national interest. To realise this potential, however, the accreditation process and the engagement of both data providers and users need to be significantly faster and more responsive to the needs of Australia's research community.

9. Opportunities to further facilitate State and Territory participation

It would be enormously helpful if there can be incentives for State and Territory participation. Any efforts to minimise duplication and enhance integration within the federated system would be welcome.

10. Possible changes to increase effectiveness

The following adjustments would strengthen the DAT Act's impact:

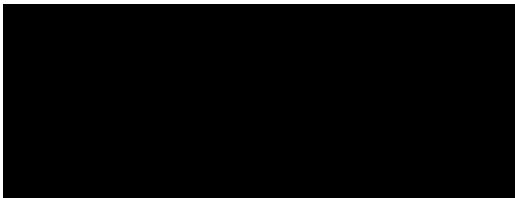
- Broaden participation
- Simplify accreditation and reduce administrative load
- Provide greater clarity and support for prospective participants
- Support ongoing engagement, education, and showcasing of success stories

Additional Considerations

Flinders University supports the intent and goals of the Data Availability and Transparency Act 2022. With thoughtful reform, the Act can become a more effective and widely used solution for advancing public interest research, innovation, and evidence-based policy.

We welcome the opportunity to continue engaging with the review process and the development of a robust, trusted national data sharing framework.

Yours sincerely



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