

# Legal Frameworks Survey and Visualisation Tool

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# Purpose and Aim

- Purpose of the survey:

To reveal the **potential** and **limitations** in law for research access to national official data across national borders.

- Aim of the survey:

To enable the NSI and research communities to focus on areas of activity that are possible in law

# Focus of survey

- **Focus** : Confidential data for scientific purposes. These are data files from which direct identifiers have been removed, and which only allow for indirect identification of the statistical units.
- **Respondents** : The questionnaire was sent to the members of European Statistical System Working group on Confidentiality.
- **Terminology** : Based on OECD and aligned with European Regulation, access to confidential data for scientific purposes, Regulation 557/2013.

# Scenarios

- Direct supply of data to the foreign researcher; where the data physically move to the foreign country.
- Direct supply of an access service for the foreign researcher in the foreign country, where the data do not physically move but instead are accessed remotely by the foreign researcher.
- Indirect supply of data to the foreign researcher; where the data physically move to the foreign country to a data access provider (such as a data archive, or a partner NSI) in the foreign country.
- Indirect supply of access service for the foreign researcher in the foreign country, where the data do not physically move but instead are accessed remotely by the foreign researcher through European Service Centre data archive or partner NSI in the foreign country.
- Support for the foreign researcher who is staying in country of data origin to use data (but who is not registered with a local research institution).
- The production of public use data.

# Types of Data

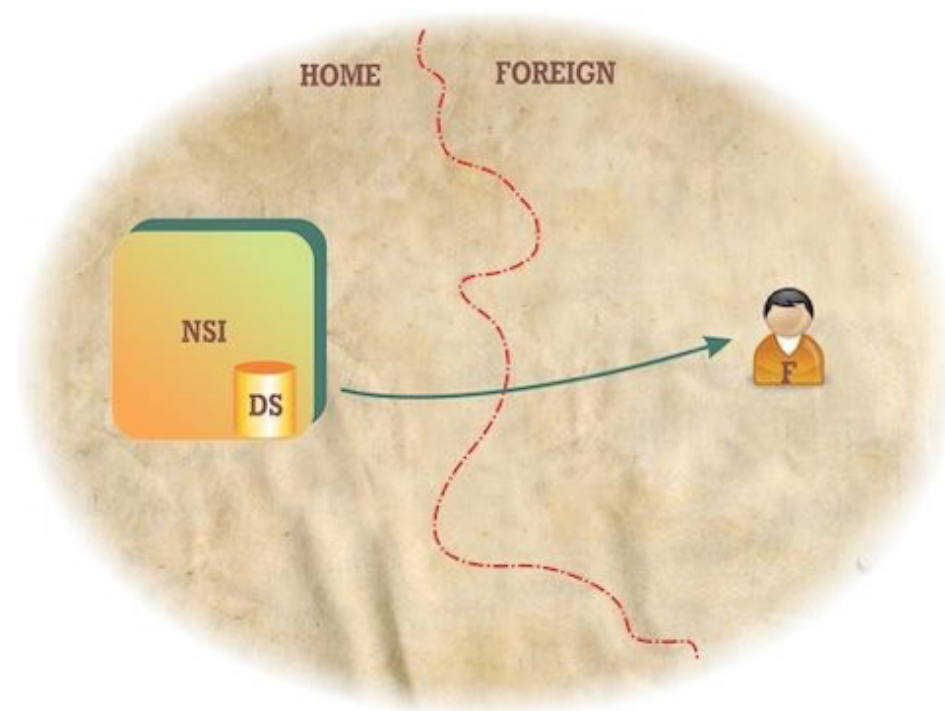
Different types of data are explored

- Social surveys
- Business surveys
- Population census
- Administrative / register personal data sources
- Administrative / register business data sources

# Survey

**Scenario** Moving the data for direct access.

Supplying a confidential dataset to the foreign country. The foreign researcher receives directly a confidential dataset for research use in the foreign country.



# Survey

**Does your legal framework allow you to transmit a confidential dataset directly to the foreign researcher in the foreign country?**

	Yes	No
Social survey	<input type="radio"/>	<input type="radio"/>
Business survey	<input type="radio"/>	<input type="radio"/>
Population census	<input type="radio"/>	<input type="radio"/>
Administrative / register personal data sources	<input type="radio"/>	<input type="radio"/>
Administrative / register business data sources	<input type="radio"/>	<input type="radio"/>

Please use this space to add any relevant information:

# Survey

**If you have answered 'no' to one or more of the sources, please give the reason you are not able in law to provide access in this case:**

Specific prohibition in your statistical law

Specific prohibition in your non-statistical legal framework

Your legal framework requires specific provision for this service

A statutory body has ruled against access of this type

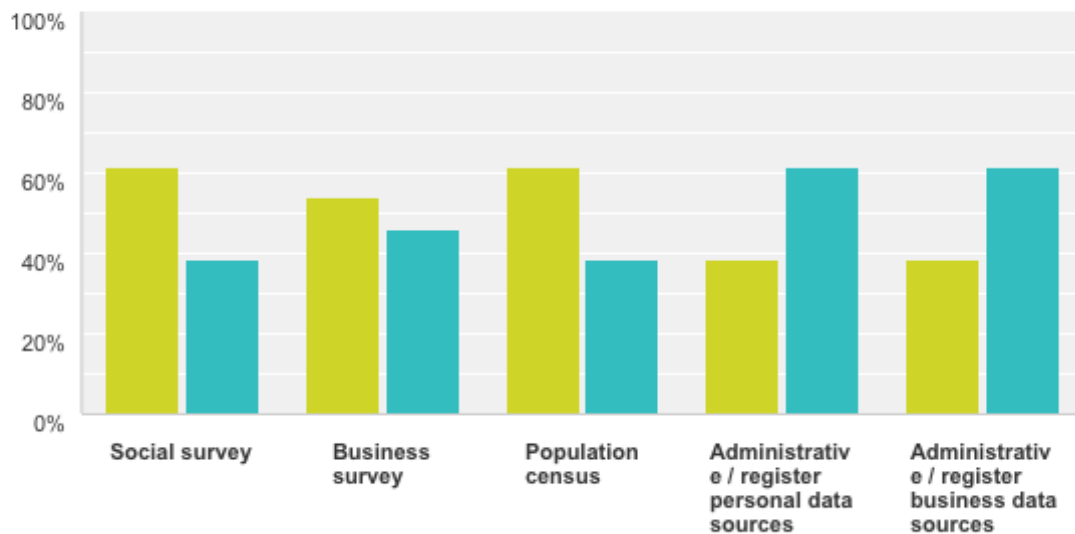
Other (please specify)



# Survey

**Does your legal framework allow you to transmit a confidential dataset directly to the foreign researcher in the foreign country?**

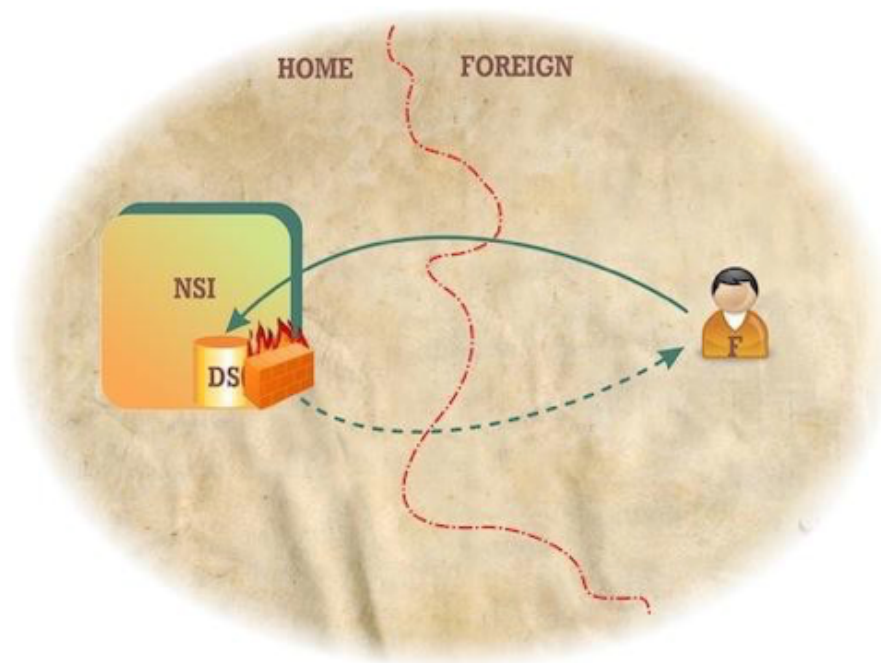
Answered: 13 Skipped: 0



# Survey

**Scenario** Providing direct remote access to stationary data.

Providing a remote access service to the foreign researcher in the foreign country. The researcher can see confidential data and receives checked non confidential outputs



# Survey

**Does your legal framework allow you to provide remote access to confidential research data files to the foreign researcher staying in the foreign country?**

	Yes	No
Social Survey sources	<input type="radio"/>	<input type="radio"/>
Business survey sources	<input type="radio"/>	<input type="radio"/>
Census sources	<input type="radio"/>	<input type="radio"/>
Administrative / register sources, personal	<input type="radio"/>	<input type="radio"/>
Administrative / register sources, business	<input type="radio"/>	<input type="radio"/>

Please use this space to add any relevant information:

# Survey

**If you have answered 'no' to one or more of the sources, please give the reason you are not able in law to provide access in this case:**

Specific prohibition in your statistical law

Specific prohibition in your non-statistical legal framework

Your legal framework requires specific provision for this service

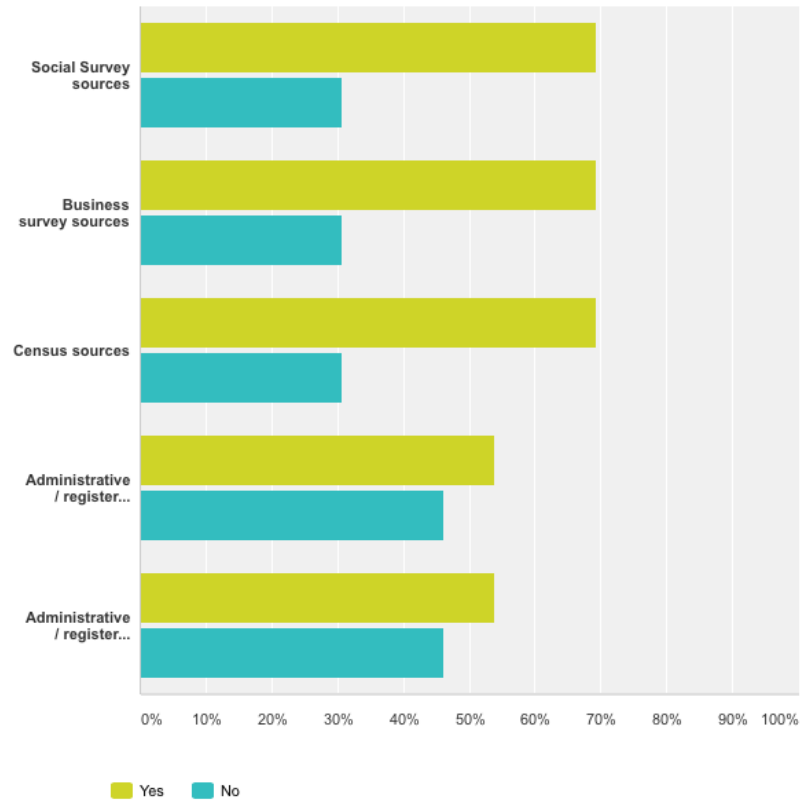
A statutory body has ruled against access of this type

Other (please specify)

# Survey

Does your legal framework allow you to provide remote access to confidential research data files to the foreign researcher staying in the foreign country?

Answered: 13 Skipped: 0



# Response Rates

- Less than half of the eligible countries answered the survey. There are different factors that most likely affected response rate. Among them are:
  - lack of clarity concerning terminology in international debates surrounding access of data for research purposes, so different NSIs view data from different perspectives;
  - national statistics laws are rarely specific about research access to data and trans-border access;
  - Some NSIs do not have regular user requests for transnational access they make decisions on ad hoc bases on particular cases and do not have general stand on this issue;
  - often the possibility or right to access data for research purposes is defined not only in law on statistics but in other pieces of legislation eg, data protection legislation, which adds to complexity of the issue.

# Initial Results

## ● Confidential Data

- Transmission to researcher in foreign Country (Direct)
  - Social survey and census: 60%
  - Administrative data: 50%
- Transmission to researcher within Country
  - Social survey and census: 60%
  - Administrative data: 50%
- Transmission to foreign Data - under national legislation of service provider.
  - 20% (no influence by data type)
- Remote access (to researcher in foreign Country): 70%
- Remote execution within country 85%

## ● Non Confidential Data

- Transmission to researcher within and outside country 85% (Direct PUF)
- Transmission to researcher outside country via ESC / partner of NSI 85%
- Transmission to foreign archive 60%

## ● Visualisation Tool

# DwB Data Visualisation Tool

**Direct URL:**

<http://fryford.uk/wp-content/visuals/europe/european.html>





# Going Forward

The results are useful to:

- The researchers :

to what sort of data they could potentially access and in which countries ?

- To the European Statistical System and each NSI :

What to improve.

Similarities across borders.

- To Data Archives :

To best help the researchers

Demonstrates relationship between statistical providers and DA

# Thanks for Listening

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