

# Open Data Policy

Version 2.0

**Approval**



Pat Vidgen

**Electoral Commissioner**

31 / 3 / 2022

## Version history

Version	Notes	Author	Date of Change
1.0A	Draft	Director	October 2018
1.0B	SMT Approval	Director	October 2018
1.0	Issued for use	Director Compliance	November 2018
1.1	Reviewed – Changed from Open Data Strategy to Open Data Policy	A/Principal Policy Officer	February 2022
2.0	Issued for use	Electoral Commissioner	March 2022

## Review

This policy will be reviewed **six months prior to a local government quadrennial election**, or if the relevant regulatory frameworks change in a way that means this policy is no longer contemporary.

## Purpose

The Open Data Policy sets out how the Electoral Commission of Queensland (ECQ) will identify, prepare and publish high quality datasets and make them freely available to the public.

## Rationale

The Queensland Government, as per the [Queensland Government Open Data Policy Statement](#), is committed to releasing data and allowing it to be freely used, reused and distributed by anyone, and anywhere. The release of non-sensitive data to the public also supports the ECQ's strategic objective to deliver fair and transparent Queensland elections.

Embedding a culture of open data is key to proactive disclosure of government-held information, and is consistent with Queensland public sector agencies' obligations under the *Right to Information Act 2009*.

The ECQ will work to make its data available free to the community and support open, accountable and transparent government.

## Guiding Principles

The Open Data Policy will be guided by the International Open Data Charter principles, where appropriate.

These are:

1. Open by Default – there is the presumption that government information will be published.
2. Timely and Comprehensive – data should be relevant and include enough information about the data that users will not misinterpret or misuse the data.
3. Accessible and Usable – anyone can access, use and share data.
4. Comparable and Interoperable – data should be easy to compare and combine within and across sectors, geographies and time.
5. For Improved Governance and Citizen Engagement – data should promote active citizen participation and engagement in design, monitoring and evaluation of public policy.
6. For Inclusive Development and Innovation – open data helps spur economic development.

This Policy will also be informed by the strategic priorities outlined in the *ECQ Data Strategy 2022-25*.

## Policy

### Release of data

The ECQ will give effect to the Statement through five steps.

1. Identification: The ECQ will proactively identify information that can be released and is of value to the public. Considerations of what constitutes value to the public include:
  - increases openness and transparency of government and its processes
  - captures the public interest or promotes debate

- may be used and analysed by researchers of non-government organisations
- allows new products or services to be developed by users of the data
- reports on customer feedback and experience, and
- provides geospatial or contact data.

The ECQ will accept external requests for data and assess the requests against the above criteria. If an external request for data is accepted, the data provided must also be published and made accessible by the public.

2. Assessment: Data will be assessed considering its compliance with:

- legislation
- ECQ and Queensland Government policies and guidelines
- privacy and confidentiality
- information security protocols
- privilege
- public safety
- commercial confidentiality, and
- operational risk.

To assist with the assessment of data, the ECQ recommends the use of the Data Release Checklist in Appendix 3.

3. Publication: Data will be published in various locations, including the ECQ website, Electronic Disclosure System (EDS) and the Queensland Open Data Portal. Data will be published in accordance with standards of the ECQ website and the standards outlined at [data.qld.gov.au](http://data.qld.gov.au).

Data can only be published with the formal approval of the Electoral Commissioner.

4. Management and governance: The ECQ will manage the accuracy and quality of data by consulting data custodians and owners in accordance with relevant internal data governance frameworks and operating models.

5. Quality and accessibility: To assure the ongoing quality and accessibility of data released:

- not compromise privacy legislation and obligations, public safety or commercial confidentiality
- prepare clear dictionaries and definitions where appropriate
- format data in open formats e.g. CSV and XML
- accompany data, where appropriate, with standardised metadata
- display clear usage licences, and
- advise of data quality and publication schedules.

## Current Datasets

The ECQ currently releases data according to the following schedule:

### Annually

- Overseas travel by staff (Annual report requirements)
- Consultancies (Annual report requirements)
- Queensland Language Services Policy (Annual report requirements)
- Complaints (section 219A, *Public Service Act 2008*)
- Service Delivery Statements (section 68, *Financial Accountability Act 2009*)
- Small business late payment summary (*Queensland On-time Payment Policy*)

### Biannually

- Registered political party periodic return (section 290, *Electoral Act 1992*)

### Bi-monthly

- Awarded contracts over \$10,000 (*Queensland Procurement Policy*)

### Monthly

- Enrolment figures by electorate (section 63, *Electoral Act 1992*, required to be gazetted, ECQ proactively releases on website)

### As required

- Event data released for elections (not all data will be released for all elections)
  - Postal vote applications (proactive release - uploaded daily during event until applications close)
  - Postal votes issued (proactive release – uploaded daily until applications close)
  - Daily mark-off data (proactive release – daily during voting period)
  - Results data as ballots are counted (section 133A, *Electoral Act 1992* and section 101A, *Local Government Electoral Act 2001*)
- State and local government electoral boundary geospatial data (uploaded on final determination of boundary review or redistribution) (Proactive release)
- Electronic Disclosure System disclosures (uploaded by users as required) (part 11, *Electoral Act 1992* and part 6, *Local Government Electoral Act 2011*)
- Register of political parties (maintained on the ECQ website and required to be gazetted following issue of writ for State elections) (Proactive release)

## Appendix 1 — Definitions

### Definitions

Term	Definition
Data	Facts, figures, or information collated for reference or analysis.
Data governance	Exercise of authority, control, and shared decision (planning, monitoring and enforcement) making over the management of data assets.
Data management	Business function that develops and executes plans, policies and practices that acquire, control, protect, deliver and enhance the value of data.
Data quality	Degree to which data is accurate, complete, timely, consistent with all requirements and business rules, and relevant for a given use.
Open Data	Data that can be freely used, modified and shared by anyone for any purpose.

## Appendix 2 — Regulatory Framework

### Regulatory framework

- *Electoral Act 1992*
- *Local Government Electoral Act 2011*
- *Financial Accountability Act 2009*
- *Public Service Act 2008*
- *Right to Information Act 2009*
- *Information Privacy Act 2009*
- *Queensland Procurement Policy*
- *Queensland Government Open Data Policy Statement*
- *Queensland Government Enterprise Architecture*
- *Queensland Government Open Data Portal publishing standards*

## Appendix 3 — Data Release Checklist

Prior to releasing datasets, the ECQ will determine suitability for release by applying the following Data Release Checklist as provided by the Queensland Government.

<b>Protection Standards Checklist</b>	<b>Yes</b>	<b>No</b>
1. Is the data being proposed to release owned or partly owned by an entity other than the Queensland Government, and the entity has not provided for open access to and reuse of the data? <i>(If yes, where appropriate seek permissions from the entity for open release of the data, and if permission is granted, then proceed).</i>		
2. Is the data subject to a contract, agreement or license that does not expressly permit the open release of the data?		
3. Has the data been classified according to the Queensland Government Information Security Classification Framework and considered ineligible for open data release? <i>(If no, go through the information classification process, and if the data is classified as eligible for open data release, then proceed)</i>		
4. Would the release of any of the data breach statutory or legislative requirements? <i>(If yes, remove ineligible data if possible, and after removal, then proceed)</i>		
5. Is the data subject to court orders, legal proceedings or otherwise legally privileged <i>(If yes, remove the privileged data, and after removal, then proceed)</i>		
6. Does the data include personal data, including individuals' health data? <i>(If yes, remove the personal data, and after removal, then proceed)</i>		
7. Does the data proposed for release contain other data, including commercial-in-confidence data, which has not been amended to make it appropriate for open release? <i>(If yes, de-identify the data, including de-identifying by aggregation, and after the data has been de-identified, then proceed)</i>		
8. Is there a current revenue stream collected for supply of this data? <i>(If yes, refer to CBRC for consideration before release)</i>		
9. Is the data part of an internal working document of limited public value?		
10. Does the data contain culturally sensitive material?		
11. Is the data available elsewhere or incorporated into other data that is the single source of truth?		
<b>Data Standards Checklist</b>	<b>Yes</b>	<b>No</b>
12. Is the data in an open data format?		
13. Is the data current and will it be refreshed when new data becomes available?		
14. Does the metadata accurately describe the data? <i>(If no, prepare metadata that covers the following attributes using the standard form, name, description, keywords, agency(owner) and contact, unique ID, data release, licence name, image, details, format, category (e.g. business, community)</i>		
15. Has a suitable Creative Commons license been applied to the data, following best practice? <i>(If no, the custodial agency is required to apply the least restrictive licence practicable, as set out in the Queensland Government Public Sector IP Principles, the Qld Government Enterprise Architecture IS33, and the AusGOAL framework)</i>		



