



Ontario Data Strategy Consultation

Written Submission on Behalf of the Data Policy Coalition

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BY
DATA

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Opportunity 1: Building a comprehensive Data Strategy for broad public benefit	2
Recommendations	2
Opportunity 2: Leveraging government data - Balancing privacy protection with public benefit	3
Recommendations	3
Opportunity 3: Optimizing data collected by the nonprofit sector	3
Recommendations	3
Opportunity 4: Strengthening access to data about the nonprofit sector	4
Recommendations	4
Closing Remarks	5
Further Background	5

The [Data Policy Coalition](#) is pleased to submit this contribution to the Ontario Data Strategy Consultation. Our coalition is made up of more than 30 nonprofit organizations, representing service providers, advocacy groups, and funders within the nonprofit sector. We are working together to enhance the nonprofit sector's access and responsible, ethical use of government-held administrative data to improve social service delivery, impact evaluation, and evidence-based planning for public benefit.

Our coalition is equally concerned with building social benefit through a rights-based approach to data-sharing as we are with preventing potential harm that can come from misuse of data. We are glad to see this perspective captured in *Discussion Paper 1: Promoting Trust and Confidence in Ontario's Data Economy*. As nonprofit organizations often serve as service delivery partners with government, nonprofits are both users and contributors to government service utilization data. We see an important role for our sector in working with government to develop and uphold ethical and responsible use of data and technology.

We recognize a strong need for a Data Strategy and are happy to help develop it. Through this submission we aim to start a conversation on some of the issues that are important to our sector, and the communities we represent. Below we offer preliminary comments on four core opportunities. Given the importance of this topic, and the unique role and relationship between the nonprofit sector and government, we invite opportunity for further collaboration in developing and implementing the Data Strategy.

Opportunity 1: Building a comprehensive Data Strategy for broad public benefit

Recommendations

1. Engage nonprofits specifically around their unique needs, perspectives, and contributions to data collection, use, and protection
2. Add nonprofit representation to the Minister's Digital and Data Task Force
3. Conduct nonprofit sector-specific consultation session(s) on the Data Strategy
4. Establish permanent processes or mechanisms for the nonprofit sector and government to discuss and collaborate on shared data needs and challenges, as well as to steward cross-sector data & IT infrastructure

From a process perspective, the coalition recommends that the government engage in deliberate and focused dialogue with the nonprofit sector. Many nonprofits deliver services on behalf of or in partnership with government while also working directly with community members whose data is being collected and used by government. In this way, nonprofits have unique perspectives as both users and contributors to government data. To date, the opportunity for targeted consulting with the nonprofit sector has been missed in the Data Strategy Consultations. [Survey results from Phase 1](#) specifically highlight the role of the private sector and the public sector, with no mention of the integral role of the nonprofit sector. Similarly, Discussion Paper 1 contains only one reference to civil society (p.11) in having a role to play in upholding trust and confidence in the data economy. Additionally, the [Minister's Digital and Data Task Force](#) is comprised almost entirely of representatives from the private sector, aside from one participant from a cultural organization.

Dialogue with the nonprofit sector will help the province develop a comprehensive data strategy. The nonprofit sector has contributions to make to all three pillars identified in the Data Strategy to this point: 1. Building trust and confidence through improved protections; 2. Creating economic benefits through social innovation enabled by a data-driven approach, and; 3. Enabling better, smarter government through seamless integration of services and programs along with data-informed evaluation and program development.

Unless the Data Strategy Consultation process incorporates deliberate engagement with representatives of the nonprofit sector, the coalition is concerned the resulting strategy will fail to address the complexity of data issues and opportunities confronting the people of Ontario. Below we highlight three opportunities for deliberation between government and nonprofit organizations. Together we can build a data strategy that optimizes use of data for improved services while protecting human rights and civil liberties.

Opportunity 2: Leveraging government data - Balancing privacy protection with public benefit

Recommendations

1. Collaborate with the nonprofit sector to develop plans for administrative data-sharing towards improving sector-wide service delivery, impact measurement, and evidence-based program planning

Recent changes announced to the Freedom of Information and Protection of Privacy Act (FIPPA) released in Budget Bill 100 enable new opportunities for “provincial ministries to collect, analyze, and more efficiently share data within government to better inform decision-making and the evaluation of programs and services.” (Discussion Paper 1, p. 12). We see important implications under this act for the delivery and evaluation of services and programs across the province, both within government and through government-funded programs delivered through nonprofit organizations.

These implications include new opportunities for administrative data-sharing toward service integration and community benefit. These new opportunities for data-sharing foreground the need to balance individual rights to privacy with rights to integrated services - and societal benefits that can be gained. Our coalition is interested in accessing administrative data to better serve and prevent harm in communities. There are several models operating in other countries that have demonstrated the value of responsibly sharing administrative data across government ministries and with service providers. Each of these use robust technical, legal, and governance structures to prevent harm, misuse, and vulnerability to data exposure. For example, see the [Data Justice Lab in the UK](#) and [Integrated Data Systems](#) in the United States. We recommend the Government of Ontario explore these, and [other case studies](#), in greater detail and invite further collaboration.

Opportunity 3: Optimizing data collected by the nonprofit sector

Recommendations

1. Enable nonprofit organizations to extract and analyze data collected by provincially-funded programs
2. Build awareness and capacity among nonprofits to understand legislation and requirements to manage data effectively - as well as use it to maximize social benefit and prevent harm

A vast amount of data is provided to ministries by the estimated 6,000 to 15,000 nonprofits as part of transfer payment agreement program reporting. Nonprofits who provide a diverse range of services are required to input data into multiple databases to report to different government ministries. Staff at these nonprofits do not have the ability to export the data that their organizations input into these programs. This prevents them from being able to answer basic questions about how many of their clients are accessing multiple programs, and from offering

integrated services to those individuals. Nonprofits require access to the data they collect and submit on behalf of their organizations. Additionally, nonprofits want to be involved in developing long-term strategies about the database software they are mandated to use.

At the same time, there is a strong and pressing need for the Government of Ontario to build awareness and capacity among nonprofits to understand legislation regarding use of data (such as the recent changes to FIPPA) and requirements to manage data effectively - as well as use it to maximize social benefit and prevent harm. Nonprofits that operate programs and services on behalf of government, such as community health centres and homes for persons with developmental disabilities, are subject to rules under FIPPA that govern their document retention, records maintenance, and disclosure of information. So far there has been little communication with nonprofits about the major changes to FIPPA despite that these change what nonprofits have to communicate to their clients about how their information will be used.

Finally, we are cautious to avoid unnecessarily collecting or sharing data that could expose vulnerabilities and put people at risk of harm. There have been recent examples of proposed changes to reporting in human services that highlight the need to ensure privacy while improving transparency and accountability. In these cases we recommend deeper engagement with service delivery organizations as well as with advocacy groups representing impacted communities to ensure an appropriate balance of individual and community safety with collective benefits of data-informed policies and programs.

Opportunity 4: Strengthening access to data about the nonprofit sector

Recommendations

1. Streamline the way [Transfer Payment Agreements](#) data is collected and increase the usefulness of open TPA data by working with ministries and provincially-funded nonprofit service providers to design reporting formats that meet government objectives for open data standards, as well as the information needs of service providers
2. Ensure that the new nonprofit registry is made available as open data once the Ontario Not-for-profit Corporations Act (ONCA) is proclaimed in effect

We strongly commend the Government of Ontario's [Open by Default](#) policy and recommend continued investment in this area, including expansion of open data assets about the nonprofit sector. Defining clear objectives and easing the administrative burden for nonprofits reporting on transfer payments agreements will help organizations use this data to inform program improvements and understand resource flows across the sector. Similarly, data from the ONCA is foundational to understanding the full scope of social sector organizations, their resources, and activities.

Closing Remarks

The Ontario Government's initiative to develop a province-wide Data Strategy is important and urgent. To maximize both short-term and long-lasting benefits to the people of Ontario we recommend establishing permanent mechanisms for engagement with the nonprofit sector. The nonprofit sector can offer unique value to government toward planning data priorities, infrastructure, and resources. In this submission we have outlined several opportunities already identified by our coalition members that we recommend for further deliberation between government and the social sector. We invite further dialogue and collaboration towards building and implementing the Data Strategy.

Further Background

About the Data Policy Coalition

Powered by Data serves as the Secretariat for the Data Policy Coalition and co-convened the coalition with four co-convening partners who have helped shape this initiative: Ontario Nonprofit Network, Colour of Poverty - Colour of Change, Philanthropic Foundations Canada, and Well Living House.

Powered by Data operates on [Tides Canada's shared platform](#), which supports on-the-ground efforts to create uncommon solutions for the common good. Tides Canada is a national Canadian charity dedicated to a healthy environment, social equity, and economic prosperity.

About the nonprofit sector

Ontario's nonprofit sector includes 58,000 organizations that contribute \$50 billion to Ontario's GDP and employ about a million workers. The Ontario Government counts on nonprofits to deliver essential programs and services. A vast amount of data is provided to ministries by the estimated 6,000 to 15,000 nonprofits as part of their transfer payment agreement program reporting.

- Powered By Data
 - Administrative Data Coalition <https://poweredbydata.org/administrative-data>
 - Open Data <https://poweredbydata.org/open-data>
 - Report: [Using Data to Enable Better Outcomes for Young People Leaving Care](#)
- ONN's data issues webpage
 - <https://theonncanada.ca/our-work/our-people/data-strategy/>
 - Report: [Towards a Data Strategy for the Ontario Nonprofit Sector](#)
- Imagine Canada
 - Demystifying Data for the Charitable Sector
<http://www.imaginecanada.ca/blog/%E2%80%8Bdemystifying-data-charitable-sector>