

US23271 - Describe ethical and legal issues in the collection and use of data in a public sector context

Level 5

Credits 4

Purpose This unit standard is designed for people employed in the State Sector in positions where they are required to interpret statistical data to make and/or report decisions.

People credited with this unit standard are able to: describe and understand legal and ethical issues (including privacy, security and confidentiality) relating to the collection and use of data in a public sector context; assess the adequacy of processes and policies addressing these issues; identify and describe how these issues impact on respondents to data collections; and make policy recommendations for processes or protocols that can help reduce these impacts.

Subfield Public Sector Services

Domain Public Sector Core Skills

Status Registered

Status date 25 September 2006

Date version published 25 September 2006

Planned review date 31 December 2011

Entry information Open.

Accreditation Evaluation of documentation and visit by NZQA and industry.

Standard setting body (SSB) Public Sector Training Organisation

Accreditation and Moderation Action Plan (AMAP) reference 0121

This AMAP can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>

Special notes

- 1 Reference
Reference information to assist with providing evidence for this unit standard can be obtained from the Statistics New Zealand website at <http://www.statistphere.govt.nz>

or the specific government ministry, department or agency in which the candidate works.

- 2 Legislation and regulations relevant to this unit standard include but are not limited to State Sector Act 1988, Human Rights Act 1993, Protected Disclosures Act 2000, Official Information Act 1982, Privacy Act 1993, New Zealand Statistics Act 1975, Public Service Code of Conduct 2001 and any relevant legislation applicable to specific government ministries, departments and agencies whose employees are supplying evidence for credit for this unit standard.
 - 3 Definitions
Organisational requirements refer to instructions to staff on policy and procedures which are documented in memo or manual format and are available in the workplace.
Reports refer to research papers, publications, statistical summaries, books, academic papers, and website information.
Assess refers to the process of judging the material is fit for purpose including the relevance, quality, origins and currency of the sources of the material.
Policy recommendations refer to recommendations made in response to ministerial requirements or recommendations for internal policy requirements.
-

Elements and performance criteria

Element 1

Describe and understand legal and ethical issues (including privacy, security and confidentiality) relating to the collection and use of data in a public sector context and assess the adequacy of processes and policies addressing these issues.

Performance criteria

- 1.1 Overview of privacy, security and confidentiality principles is described.

Range: Including but not restricted to legislative (e.g. Privacy, Statistics and Tax Administration Acts) and administrative constraints.
- 1.2 The collection and use of data in a public sector context is described and assessed in terms of privacy principles (with reference to at least **two** of the twelve principles listed in the Privacy Act).
- 1.3 The collection and use of data in a public sector context is described and assessed in terms of the security requirements of the government ministry, department or agency using the data (with reference to at least **two** examples).
- 1.4 The collection and use of data in a public sector context is described and assessed in terms of confidentiality requirements (with reference to at least **two** examples).
- 1.5 At least **one** other ethical or legal constraint on the collection and use of data in a public sector context is described and assessed.

Range: Including but not restricted to legislative (e.g. Human Rights Act) or

administrative constraints (Public Sector Code of Conduct, Health and Research Ethics)

- 1.6 Processes and/or procedures for resolving privacy, security or confidentiality issues relating to the collection and use of data in the public sector are described in accordance with organisational requirements.

Range: Including but not limited to informed respondents, purpose for collection, physical and electronic barriers, office practices, data matching and data sharing protocols, statistical disclosure control.

Element 2

Describe issues relating to the impact on respondents of the collection and use of data in a public sector context, and assess the impact of these.

Performance criteria

- 2.1 **Two** potential impacts on respondents of legislative and ethical issues in the collection and use of data are identified and described.

Range: impacts may include but are not limited to – respondent burden, use for statistical versus operational purposes.

- 2.2 Processes and/or procedures for resolving privacy, security or confidentiality issues relating to the collection and use of data in the public sector is described in accordance with organisational requirements (with reference to at least **two** examples).

Range: Including but not limited to purpose for collection, use for statistical versus operational purposes, physical and electronic barriers, office practices, data matching, data sharing, confidentiality protection.

- 2.3 The processes and/or procedures described in 2.2 are assessed in terms of their potential impact on respondents.

Range: Including but not limited to participation, respondent burden, data quality, trust.

Element 3

Make policy recommendations that could help resolve impact on respondents of privacy, security, confidentiality and ethical issues

Performance criteria

- 3.1 Recommendations for at least **two** processes and/or procedures for helping resolve the impacts on respondents of the collection and use of data procedures, in accordance with legislative and organisational requirements, are clearly described.

Range: Including but not limited to prior communication, feedback to respondents, length of questionnaires, unambiguous and unobtrusive questions.

- 3.2 The potential impact of these recommendations on respondents is assessed and described.

Range: May include but not limited to transparency, burden, participation, data quality, trust.

Please note

Providers must be accredited by the Qualifications Authority, or an inter-institutional body with delegated authority for quality assurance, before they can report credits from assessment against unit standards or deliver courses of study leading to that assessment.

Industry Training Organisations must be accredited by the Qualifications Authority before they can register credits from assessment against unit standards.

Accredited providers and Industry Training Organisations assessing against unit standards must engage with the moderation system that applies to those standards.

Accreditation requirements and an outline of the moderation system that applies to this standard are outlined in the Accreditation and Moderation Action Plan (AMAP). The AMAP also includes useful information about special requirements for organisations wishing to develop education and training programmes, such as minimum qualifications for tutors and assessors, and special resource requirements.

Comments on this unit standard

Please contact Learning State at info@learningstate.govt.nz if you wish to suggest changes to the content of this unit standard.