

PRIVACY IMPACT ASSESSMENT RESPONSE

2026 Census Privacy Impact Assessment (Phase 1) –
ABS Response

January 2024

2026 CENSUS PRIVACY IMPACT ASSESSMENT (PHASE 1) – ABS Response

INTRODUCTION

Privacy considerations are integral to all aspects of the Census. The *Census Privacy Strategy: 2021 to 2028* outlines how privacy will be considered at every Census stage. This strategy will help us build and maintain community confidence that the measures we use to protect privacy are comprehensive and effective. The Strategy includes a strong commitment to risk management, comprehensive stakeholder engagement and public consultation.

The Strategy spans from the 2021 Census through to the start of the 2031 Census to ensure privacy impact assessments (PIAs) are coordinated and integrated with the design and development across the Census cycle. The development of this strategy was in line with Structural Recommendation 1 from the [2021 Census Privacy Impact Assessment](#) conducted prior to the 2021 Census: *The ABS should develop and implement a 7-8 year Census Privacy Strategy that covers more than one Census.*

The Strategy has four goals to enable the ABS to ensure privacy obligations are met and information is collected and used consistent with community expectations:

1. **Design:** embed a culture of privacy that promotes and enables best practice
2. **Engage:** open and transparent engagement, consultation and communication
3. **Safeguard:** robust practices, procedures and systems to ensure continued effectiveness
4. **Maintain:** evaluation of privacy practices, procedures and systems for ongoing improvement

During the 2021 Census program, the ABS undertook two PIAs: the [2021 Census PIA](#) and the [2021 Census Administrative Data PIA](#). Both were published on 21 July 2020, along with the decision to only retain names for up to 18 months and addresses up to 36 months after the Census. All recommendations agreed in the ABS Response to the PIAs have been addressed.

The 2021 Census PIAs provide a baseline for the 2026 Census PIA. Consistent with the *Privacy (Australian Government Agencies – Governance) APP Code 2017* (Privacy Code), the ABS included systems and processes in scope of the 2026 Census PIA where either the systems and processes or the external environment has changed between the two Censuses.

The ABS has decided to undertake a phased approach to the PIA for the 2026 Census. A phased approach provides the opportunity for recommendations from early phases to be adopted in the design and build of the Census, and to be evaluated in the final phase.

The 2026 Census PIA will consist of three phases:

- Phase 1: Preparation, Planning and Development (2023)
- Phase 2: Build & Design (2024)
- Phase 3: Testing operational readiness (2025)

The ABS will engage external consultants with appropriate skills and experience to undertake each phase of the PIA. The ABS contracted IIS Partners to conduct the 2026 Census PIA Phase 1.

Additionally, the ABS has engaged an independent privacy advisor to provide advice to the 2026 Census Program.

This PIA focuses on the following scope:

- Sharing Census data under the DATA Scheme
- Longitudinal analysis of Census data
- Census content topic consultation
- Administrative data use for Census
- Customer experience (Potential use of myGov)
- 2024 Census Test
- *Privacy Act 1988* (Cth) (Privacy Act) reforms

The ABS appreciates the insights provided by IIS Partners through this engagement. The ABS is pleased that IIS has recognised ABS' internal privacy governance arrangements as robust, highlighting the regularly monitored Privacy Management Plan, dedicated roles and committees with privacy responsibilities, privacy assessment processes, and a range of internal policies and procedures to help meet its obligations under the Privacy Act and the Privacy Code.

The introduction of a 3 phase PIA process has enhanced the Census 'privacy by design' approach. This PIA helped the ABS explore, increase transparency and get early feedback on Census design considerations.

The PIA has helped highlight the importance of community perspectives in Census design and planning. The PIA also highlighted some areas that have considerable complexity where careful consideration is required. In relation to the use of administrative data in the Census, IIS highlighted that since the 2021 Census PIAs the ABS has been open and transparent about its proposals for, and uses of, administrative data. IIS supported the ABS publishing papers on its website on planned use of administrative data and encouraged continuing with this transparency.

The ABS agrees with the recommendations. Recommendations will be implemented as Census preparations continue.

RESPONSE TO RECOMMENDATIONS

Recommendation 1

Community perspectives in a volatile environment

The ABS should continue to test for and incorporate community views leading up to the 2026 Census.

Response: Agreed

The ABS acknowledges and agrees with the need to continue to conduct community consultation and sentiment testing in preparation for the 2026 Census. The ABS has already undertaken a wide range of public engagement and has plans in place for further consultation and testing in the design, development and operation of the 2026 Census.

Existing forums including the ABS Round Table for Aboriginal and Torres Strait Islander Statistics and LGBTIQ+ Expert Advisory Committee for the 2026 Census will be consulted on privacy issues.

The ABS will consider avenues for additional community consultation and sentiment testing with the public, including additional advisory groups, where there is not coverage through existing mechanisms.

Recommendation 2

Establishing governance for data sharing and use (DAT Act and DATA Scheme)

The ABS should implement internal decision-making processes for considering and approving Census data sharing under the DATA Scheme.

Response: Agreed

The ABS will implement internal decision-making processes for considering and approving Census data sharing under the DATA Scheme by March 2024.

As required under the DATA Scheme, any sharing would be limited to accredited users and subject to certain safeguards and public interest purposes. The process will include consideration of community expectations gained through consultation and sentiment testing.

The ABS will maintain information on the ABS website about ABS use of the DATA Scheme, including any use of the DATA Scheme to share Census data.

The ABS will support the additional transparency measures that are part of the DATA Scheme.

Recommendation 3

Sharing of future versus previous Census data (DAT Act and DATA Scheme)

The ABS should undertake risk-benefit analysis, with commitment to public transparency, before deciding to share historic Census data.

Response: Agreed

The ABS will undertake and document a risk-benefit analysis before deciding to share historic Census data through the DATA Scheme by June 2024 which documents the pros and cons, including considerations of potential impact on public trust.

If the ABS decides to share any historic Census data under the DATA Scheme, this decision will be signed off by the Australian Statistician and published on the ABS website along with information about the decision.

Recommendation 4

Greater longitudinal analysis of Census data

The ABS should undertake risk-benefit analysis of increasing the ACLD sample from 5% and/ or allowing access to data from more than one Census in a MADIP project.

Response: Agreed in principle

The ABS has not made a decision as to whether to progress considerations of increasing the Australian Census Longitudinal Dataset (ACLD) sample from 5% or allowing access to data from more than one Census in a MADIP (now PLIDA) project.

If the ABS decides to progress these considerations, it will undertake a risk-benefit analysis, in line with this recommendation, before any decision to increase the size of the ACLD sample and/or allowing access to data from more than one Census in a PLIDA project.

This risk-benefit analysis would be on the basis of a refined proposal with details of the re-identification risk and the mitigations for this risk. If progressed, the ABS would test community perspectives and follow-up with stakeholders in the Phase 1 2026 Census PIA.

Recommendation 5

Sensitivity of topics (Census content topic consultation)

The ABS should continue to consult with relevant stakeholder groups on sensitive topics and work together on engaging members of their community in the lead-up to the 2026 Census.

Response: Agreed

The ABS will continue engagement and consultation with relevant stakeholders on the 2026 Census, including the consideration of sensitive topics.

The ABS will develop, in partnership with stakeholders, detailed communications materials regarding any changes to sensitive topics for the 2026 Census.

Recommendation 6

Managing sensitivity of topics (Census content topic consultation)

The ABS should consider and test the feasibility of making responses optional, for topics/questions that are deemed to be especially sensitive by the ABS and the community.

Response: Agreed

The ABS will consider and test the feasibility of providing the option to not provide information in relation to topics/questions that are deemed to be especially sensitive by the ABS and the community.

Testing will be conducted through the 2026 Census Content Review focus groups and cognitive testing in 2023/24 and through consultation with the ABS Round Table for Aboriginal and Torres Strait Islander Statistics and LGBTIQ+ Expert Advisory Committee for the 2026 Census.

Recommendation 7

Use of administrative data to make the Census more efficient.

The ABS should consider the necessity of, and develop rules for, the use of administrative data to assess Census-night occupancy.

Response: Agreed

The ABS will continue to explore the public benefits of using administrative data to assess Census-night occupancy in the 2026 Census. When using administrative data, the ABS always operates consistently with the Privacy Act, Australian Privacy Principles and the Privacy Code.

The ABS will be transparent and clearly communicate the use of administrative data to support the Census, including details on how the data is used.

For the 2021 Census, the ABS published detailed information on the ABS website outlining how administrative data was used to improve the quality of the 2021 Census and the benefits achieved. The ABS will publish similar updated information for the 2026 Census covering the areas specified in recommendation 7 and 8.

Recommendation 8

Use of administrative data to enhance the content of the Census.

The ABS should take an incremental approach to progressing with use of administrative data to enhance the content of the Census.

Response: Agreed

The ABS will continue to take an incremental approach to the use of administrative data to enhance the content of the Census.

The ABS is exploring the potential use of administrative data on personal income to enhance the content of the 2026 Census and use of administrative data to ensure better representation for groups that are traditionally under-counted or where unexpected events such as natural disasters prevent people from completing the Census.

The ABS will ensure a change management and communication process is used to inform the public of decisions on the use of administrative data.

Recommendation 9

Additional Census pathway via myGov (Customer experience)

The ABS should conduct further testing of community perspectives, based on continuing exploration of myGov as an additional Census pathway.

Response: Agreed

The ABS is continuing to explore the use of an additional pathway through myGov to complete the 2026 Census and will undertake further testing before introducing any myGov pathway.

Recommendation 10

Preparations for the 2024 Census Test

The ABS should develop a formal procedure for the retention and deletion of 2024 Census Test data.

Response: Agreed

The ABS will develop formal plans and procedures for the retention and deletion of 2024 Census Test data, which will address each of the elements set out in recommendation 10.