



APPLICATION TO ACCESS NATIONAL DRUG STRATEGY HOUSEHOLD SURVEY

1. Requestor information

Name	
Department	
Institution	
Phone	
Fax	
Email	

2. Data requested

National Drug Strategy Household Survey

<input type="checkbox"/> 1995	<input type="checkbox"/> 1998	<input type="checkbox"/> 2001	<input type="checkbox"/> 2004
<input type="checkbox"/> 2007	<input type="checkbox"/> 2010	<input type="checkbox"/> 2013	<input type="checkbox"/> ATSI Supplement 1994

National Campaign Against Drug Abuse Social Issues Survey

<input type="checkbox"/> 1985	<input type="checkbox"/> 1988	<input type="checkbox"/> 1991	<input type="checkbox"/> 1993
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3. Intended use of data (tick all that apply)

<input type="checkbox"/> Pure research	<input type="checkbox"/> Government Research	<input type="checkbox"/> Teaching Purposes
<input type="checkbox"/> Research Consultancy	<input type="checkbox"/> Commercial research	<input type="checkbox"/> Thesis or coursework
<input type="checkbox"/> Other (please specify): 		

4. Supervisor Details

Name:
Email:

5. Description of intended use / research abstract. This section should include a brief summary of the proposed research (attach if necessary)

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6. Source(s) of funding



Conditions of use form

Your details	
Name:	Email:
Organisation:	Phone:
IMPORTANT INFORMATION – PLEASE READ CAREFULLY	
<p>Approval for use of the National Drug Strategy Household Survey (NDSHS) confidentialised unit record file, requires agreement to the following conditions:</p> <ul style="list-style-type: none">• Unweighted counts are not to be published unless approval has been sought and granted from the AIHW.• All research is to be listed on the Register of Australian Drug and Alcohol Research (RADAR) website.<ul style="list-style-type: none">• Please email your research to radar@adca.org.au and use the keyword NDSHS.• Any report or public results must identify the AIHW as the source of the data and acknowledge the NDSHS and the Australian Data Archive.• Permission to link the National Drug Strategy Household Survey CURF with any other data source MUST be sought from the AIHW's Ethics Committee.• Individual age, sexual orientation, indigenous status, main language, industry of employment, occupational status, and pregnancy status should not be crossed tabbed with other demographic or geographic variables (age groups are an exception to this rule). If you wish to do this, you MUST seek approval from the AIHW.• All data must be tested for data quality issues. If the relative standard error (RSE) lies between 25-50%, authors must indicate caution in published work; if the RSE is greater than 50%, authors must seek approval from the AIHW before publishing. <p>Before publishing any research based this data, a copy of the report/research is to be provided at least two weeks before public release. The copy of the report/research should be sent to both:</p> <ul style="list-style-type: none">• Director – Illicit Drugs, International and Research Policy, Drug Strategy Branch, Department of Health• Head – Tobacco, Alcohol and Other Drugs Unit, Australian Institute of Health and Welfare. <p><input type="checkbox"/> I have read and understood these requirements.</p> <p><input type="checkbox"/> I have read the AIHW Policy on reporting to manage confidentiality and reliability, and agree that any publication of data from the NDSHS CURF will comply with the policy.</p> <p>Name: _____</p> <p>Signature: _____ Date: _____</p> <p>Could you please indicate the specific questions you intend on using in your analysis? Please refer to the questionnaire to inform your response _____</p> <hr/> <p>The AIHW are interested in understanding: what researchers use the NDSHS data for; any issues with these data; and how the dataset or survey could be improved to assist you with your analysis. Could you please indicate below if you would be interested in participating in a NDSHS user group to discuss these matters.</p> <p><input type="checkbox"/> Yes, I would be interested in participating in a NDSHS users group <input type="checkbox"/> No, I am not interested</p>	

Confidentiality Undertaking

made in pursuance of section 29 of the *Australian Institute of Health and Welfare Act 1987* (AIHW Act).

I, (Confidant)
Full name

of
Address

ACKNOWLEDGE AND UNDERSTAND THAT:

- (a) The Australian Institute of Health and Welfare (AIHW) acquires and holds information which is 'health-related information and statistics' or 'welfare-related information and statistics' as defined in the AIHW Act, and that information is subject to the provisions of section 29 of that Act (copy attached).
- (b) Subsection 29(2) of the AIHW Act provides for the disclosure of information in accordance with the purposes of the Act. Section 29(2)(b) further specifies that information may be provided to a person specified in writing by the information provider. Such a person becomes an 'informed person' for the purposes of section 29 of the Act.
- (c) I may become an 'informed person' within the meaning of section 29 of the AIHW Act, and that criminal penalties apply for improperly divulging or communicating information provided under the Act.

I HEREBY UNDERTAKE that I will use the information in accordance with the conditions specified below.

CONDITIONS OF USE

1. The person undertaking this Confidentiality Undertaking (Confidant) will comply in all respects with the requirements of section 29 of the AIHW Act, as attached.
2. The confidentialised unit record file (CURF) will not be matched, in whole or in part, with any other information for the purposes of attempting to identify persons, nor will any other attempt to identify a person be made.
3. The Confidant will not disclose or release the information to any other person, except as statistical information that does not identify a person.
4. Access to the NDSHS CURF will not be granted to any other person.

SECTION 29 OF THE AIHW ACT

For each wave of the NDSHS data, the Tobacco, Alcohol and Other Drugs Unit at AIHW submits a CURF to the Australian Data Archive. The information contained in the CURF does not enable the identification of 'persons' as defined in section 29(4) of the AIHW Act. **According to this definition, a person not only includes an individual but also extends to a body or association of persons, whether incorporated or not. Wherever the term 'person' is used in the following conditions, the broader definition as described in section 29 of the AIHW Act applies.**

Notwithstanding this precaution, the CURF is released under strict conditions. Failure to observe these conditions may result in a breach of section 29 of the AIHW Act and the penalties that apply for contravening that section (fine or imprisonment, or both).

ACKNOWLEDGEMENT OF DATA

Any publication which uses NDSHS data must identify the AIHW as the source of the data and acknowledge the NDSHS survey. The AIHW should be provided with a copy of all such reports and publications.

Copyright in all NDSHS data is vested in the AIHW and the Commonwealth Department of Health as per the *Memorandum of Understanding between the Department of Health and Australian Institute of Health and Welfare for the provision of information services 2011-2015*.

In providing this undertaking I understand and accept that:

- subsection 29(1) of the AIHW Act provides that a person who has information or a document relating to another person and makes a record of, or divulges that information to any person, is guilty of an offence punishable on conviction by a fine or imprisonment, or both; and
- that in receiving information to which section 29 of the AIHW Act applies, I may become an informed person for the purposes of s. 29(3) of the Act and may be liable to the same penalties that apply for contravening s.29(1).

Signature of Confidant: _____ Date: _____

Witness

Name: _____

Position: _____

Organisation/Unit: _____

Signature: _____ Date: _____

Attachment: Extract from the *Australian Institute of Health and Welfare Act 1987*

29 Confidentiality

(1) Subject to this section, a person (in this subsection called the *informed person*) who has:

(a) any information concerning another person (which person is in this section called an *information subject*), being information acquired by the informed person because of:

(i) holding an office, engagement or appointment, or being employed, under this Act;

(ii) performing a duty or function, or exercising a power, under or in connection with this Act; or

(iii) doing any act or thing under an agreement or arrangement entered into by the Institute; or

(b) any document relating to another person (which person is in this section also called an *information subject*), being a document furnished for the purposes of this Act;

shall not, except for the purposes of this Act, either directly or indirectly:

(c) make a record of any of that information or divulge or communicate any of that information to any person (including an information subject);

(d) produce that document to any person (including an information subject); or

(e) be required to divulge or communicate any of that information to a court or to produce that document in a court.

Penalty: \$2,000 or imprisonment for 12 months, or both.

(2) Subject to subsections (2A) and (2B), nothing in this section prohibits:

(a) a person from divulging or communicating information, or producing a document, to the Minister if it does not identify an information subject;

(b) a person from divulging or communicating information, or producing a document, to a person specified in writing by the person (in this subsection called the *information provider*) who divulged or communicated the information, or produced the document, directly to the Institute;

(c) a person from divulging or communicating information, or producing a document, to a person specified in writing by the Ethics Committee if to do so is not contrary to the written terms and conditions (if any) upon which the information provider divulged or communicated the information, or produced the document, directly to the Institute; or

(d) the publication of conclusions based on statistics derived from, or of particulars of procedures used in, the work of the Institute, if:

(i) to do so is not contrary to the written terms and conditions (if any) upon which an information provider divulged or communicated information relevant to the publication, or produced a document relevant to the publication, directly to the Institute; and

(ii) the publication does not identify the information subject.

(2A) Paragraph (2)(c) applies only to information that is health-related or welfare-related information and statistics.

(2B) Paragraph (2)(c) applies to a document only to the extent to which the document contains health-related or welfare-related information and statistics.

(3) A person to whom information is divulged or communicated, or a document is produced, under paragraph (2)(a), (b) or (c), and any person under the control of that person is, in respect of that information or document, subject to subsection (1) as if the person were a person exercising powers, or performing duties or functions, under this Act and had acquired the information or document in the exercise of those powers or the performance of those duties or functions.

(4) In this section:

(a) *court* includes any tribunal, authority or person having power to require the production of documents or the answering of questions;

(b) *person* includes a body or association of persons, whether incorporated or not, and also includes:

(i) in the case of an information provider - a body politic; or

(ii) in the case of an information subject - a deceased person;

(c) *produce* includes permit access to;

(d) *publication*, in relation to conclusions, statistics or particulars, includes:

(i) the divulging or communication to a court of the conclusions, statistics or particulars; and

(ii) the production to a court of a document containing the conclusions, statistics or particulars; and

(e) a reference to information concerning a person includes:

(i) a reference to information as to the whereabouts, existence or non-existence of a document concerning a person; and

(ii) a reference to information identifying a person or body providing information concerning a person.

AIHW Policy on reporting to manage confidentiality and reliability

Purpose

This document gives policy guidance on how the Australian Institute of Health and Welfare (AIHW) reports statistics (counts, percentages, averages etc.) to manage the issues of confidentiality and reliability.

Background

The AIHW operates under a strict privacy regime which has its basis in section 29 of the *Australian Institute of Health and Welfare Act 1987* (AIHW Act) and the *Privacy Act 1988* (Privacy Act).

Section 29 of the AIHW Act requires that confidentiality of data relating to persons (living and deceased) and organisations be maintained. The Privacy Act governs confidentiality of information about living individuals.

AIHW has a range of policies, protocols and processes in place to ensure the confidentiality of its data – this policy is one important example, as it deals with how data should be reported to ensure confidentiality. More information on AIHW policies related to privacy is available at: <http://www.aihw.gov.au/privacy-of-data/>

As well as the protection offered by AIHW Act and the Privacy Act, personal information held by the Institute is covered by a range of other Commonwealth, state and territory legislation.

Policy statement

In order to manage attribute disclosure research must apply the following guidelines to material within the scope of this policy.

Please note that only the relevant guidelines have been included.

1. **Guideline 1:** If the data you are releasing has already been released publicly at the granularity you intend to release, further confidentialisation is not required.
2. **Guideline 2:** Cells in tables where the value of the cell is the same as a row / column / wafer total (that is, all other cells in the row, column or wafer are zero) must be confidentialised.

Permission must be sought from the AIHW if you do not wish to confidentialise against Guideline 2.

3. **Guideline 4:** Guidelines 2 needs to be applied so as to ensure that attribute confidentiality is maintained within tables and across tables within the same release. That is, when assessing whether a cell needs to be confidentialised consideration needs to be given to whether there are other cells in that table, or other tables in the release, which may require consequential confidentialisation.

In order to manage reliability of reporting the following guideline should be applied:

4. **Guideline 5:** Rates, averages and other statistics based on denominators of less than 100 are usually not reliable and should generally not be reported. There may be exceptions to this guideline where it is deemed that data are, in fact, reliable AND where users seek such data be published and data custodians agree. Decision as to whether data based on denominators of less than 100 should be made by the relevant Group Head, if necessary after consultation with the Head of the Information and Statistics Group.

5. **Guideline 7.** If a researcher wishes to published data output (e.g. tables) at a more detailed level than any of the above guidelines would allow, then they may seek permission from the AIHW.

Legislation and standards

The AIHW acknowledges that there is a range of Commonwealth, State and Territory legislation that relate to managing privacy and confidentiality, and in particular, this policy is framed within the context of the following legislation:

- *Australian Institute of Health and Welfare Act 1987*
- *Privacy Act 1988*

The AIHW will develop practices and systems in accordance with its obligations under these pieces of legislation.

Resources

- Legislation
 - AIHW Act 1987: <http://www.comlaw.gov.au/Series/C2004A03450>
 - Privacy Act 1988: <http://www.comlaw.gov.au/Series/C2004A03712>