

13 February 2023

Energy Security Board
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To whom it may concern,

RE: Data Services Delivery Model Consultation Paper

SACOSS welcomes the opportunity to respond briefly to the Energy Security Board's Data Services Delivery Model Consultation Paper.

The South Australian Council of Social Service (SACOSS) is the peak non-government representative body for health and community services in South Australia, and has a vision of *Justice, Opportunity and Shared Wealth for all South Australians*. SACOSS does not accept poverty, inequity or injustice. Our mission is to be a powerful and representative voice that leads and supports our community to take actions that achieve our vision, and to hold to account governments, businesses, and communities for actions that disadvantage vulnerable South Australians.

SACOSS' purpose is to influence public policy in a way that promotes fair and just access to the goods and services required to live a decent life. We undertake policy and advocacy work in areas that specifically affect disadvantaged and low-income consumers in South Australia.

SACOSS also has a long-standing interest in the delivery of essential services. Our research shows the basic cost of necessities like electricity impacts greatly and disproportionately on people on low incomes and living with disadvantage. As stakeholders in the energy space, and as an organisation that regularly conducts research on the impacts of energy services on consumers and consumer behaviour, we value the opportunity to access new data streams to help inform our work. We agree with the options paper that improving access to data is critical to managing the energy transition, and in ensuring there is proper oversight of its impacts on consumers – particularly those who are vulnerable or on low incomes. Decision makers need to be well informed about the potential impacts of their decisions, and access to good data (and research based on that data) is essential. Enhancing access to and sharing of data can provide social and economic benefits and support good public governance.

Regardless of the model of data services delivery selected at the conclusion of this process, there are a few considerations SACOSS would suggest the ESB looks into across the board:

1. Standardisation of data collected and distributed, and equitability of access

Quantitative analysis from energy models underpins much academic research and energy policy-making¹. Improved access to data by academics, stakeholders, consumer advocates and policy-makers is essential to fostering a more comprehensive and transparent understanding of the energy system and associated services. However, this means that it is essential that the data gathered and shared are usable and comparable.

In large datasets used in government decision-making, traceability and referencing can become major problems, as the models may have been developed by staff not trained in data science and analysis.² As larger datasets emerge/are produced across a variety of entities, it is important that data distributed as part of a data services model share standard features and measures to ensure ease of use and the ability to properly compare data sets. Some level of standardisation is necessary.

Data collected by and made available to AEMO through any new data services model should be made fairly and equitably accessible to stakeholders in the energy space, but outside of it as well: no policy area exists in a silo. There is already an undercurrent of criticism about the accessibility of data on which policy or regulatory decisions are made, and the ability (or lack thereof) of stakeholders, researchers, and other organisations and institutions to interrogate the information underpinning these decisions³. Models and other datasets constructed through the use of data services provided as part of this proposal should be encouraged to be made openly available for the purposes of public scrutiny and academic rigour.

2. Ensuring data privacy

While this is not a key consideration in the options paper, SACOSS would further flag the vital importance of consumer privacy protections when their data is being shared. Liability issues must be considered, particularly when it comes to the consequences of privacy breaches due to errors or poor practices from third parties that have accessed the data. There must be clear data stewardship and processing provisions in place to maintain and ensure consumer privacy and data integrity when datasets are being shared. There must also be a clear mechanism for raising and addressing complaints/issues, as well as for resolving issues arising from privacy and other data use breaches.

There is also the potential risk that data holders and individuals could lose their capabilities to control how their data are re-used. The risks of loss of control are multiplied where the data are further shared downstream across multiple tiers, in particular when these tiers are

¹ Strachan, Pye and Kannan 2009: *The iterative contribution and relevance of modelling to UK energy policy* <https://www.sciencedirect.com/science/article/abs/pii/S0301421508005648>

² Pfenninger, DeCarolis, Hirth, Quoilin, and Staffell 2017: *The importance of open data and software: is energy research lagging behind?* <https://www.sciencedirect.com/science/article/pii/S0301421516306516#bib29>

³ Boulton, Rawlins, Vallance and Walport 2011: *Science as a public enterprise: the case for open data* [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(11\)60647-8/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(11)60647-8/fulltext)

located across multiple jurisdictions⁴. Consumers must be made aware, once these data services are established, of the ways in which their data are being used, and there should be opt-out mechanisms made available to them where possible.

3. Raising social awareness and acceptance

Any sharing of consumer energy data must be safe and fair, and consumers must be appropriately rewarded for/benefit from the sharing of their data. To this end we suggest the ESB consider the European Union's General Data Protection Regulation⁵ which requires that, in sharing data, consumer consent is:

- Explicit;
- Confined to a specific purpose;
- Easy to understand;
- Freely given and easily withdrawn.

SACOSS emphasises that, when it comes to sharing consumer data, it is essential that the first priority should be to ensure that consumers (all consumers, across all income levels) benefit from having their data shared. While we view this as an important principle in general and as part of the Data Strategy, we want to reiterate that this principle must remain at the fore of any model of data/service delivery, including if it is for research or forecasting purposes.

Supporting the creation of communities of stakeholders (data users, data holders and third parties) around data sharing and re-use is considered a major success factor for building trust. Active community engagement can help allocate responsibilities and define the acceptable risk levels⁶. Consumers and their representatives should be actively made aware of and, where possible, engaged in the ongoing use and distribution of these data sets and associated data services.

Of the models presented, SACOSS favour two:

1. Adding new dedicated data services capabilities to AEMO, with governance from stakeholders (short-medium term)
2. Creating a new independent data services body with a focused mandate (medium-long term)

We support, particularly in the short to medium term, leveraging the ability of a dedicated unit within AEMO – with input from stakeholders – to establish new data services quickly and with common processes, methods and platforms. This is particularly important in identifying and addressing current gaps in data and associated services, to the greater

⁴ OECD: *Enhancing Access to and Sharing of Data: Reconciling Risks and Benefits for Data Re-use across Societies* <https://www.oecd-ilibrary.org/sites/15c62f9c-en/index.html?itemId=/content/component/15c62f9c-en#back-endnotea4z12>

⁵ EU 2016: *General Data Protection Regulation* <https://gdpr-info.eu/>

⁶ OECD: *Enhancing Access to and Sharing of Data: Reconciling Risks and Benefits for Data Re-use across Societies* <https://www.oecd-ilibrary.org/sites/15c62f9c-en/index.html?itemId=/content/component/15c62f9c-en#back-endnotea4z12>

benefit of policy makers and other researchers and public institutions. However, we are of the view that, as identified in the options paper, there are risks associated with the AEMO dedicated unit model – particularly in the long term. In particular, there are risks around transparency as well as, in the long term, potential competition from internal needs which may constrain such a unit’s focus. While we recognise that the risk of potential competition from internal needs was identified more as a risk for the resourced AEMO model and not the dedicated unit model, we think it is important to consider this as a potential risk across both models.

With that in mind, in the long term our preference would be for a transition to a new independent entity. This, in our view, would allow for clear goals to be identified in greater collaboration with stakeholders and to more freely identify future needs, gaps, and opportunities for innovation. The transition from the dedicated AEMO unit model to an independent entity should also address the potential problems/risks identified with establishing a new independent entity, particularly those around negotiating access to wider data sets. There is potential for the dedicated AEMO unit to begin (and hopefully complete) these negotiations in the short-medium term, with appropriate handover processes being established both as part of these negotiations and as part of the transition to the new independent body.

In particular we favour an eventual shift to a new independent entity model because it lacks the baggage of an existing organisation and staff, and therefore also is likely to be more future—proof and adaptable. It is also an opportunity to create and foster a new culture of information and data sharing for the public benefit in a way that is transparent, protects consumer rights and interests, and clearly identifies what the public benefits of data sharing and research associated with new data services are.

The phased approach as identified by ESB is logical and we agree with the timelines and inbuilt review processes and considerations identified.

Thank you again for the opportunity to participate in this consultation. If you have any questions in relation to this submission, please contact our policy officer Malwina Wyra at malwina@sacoss.org.au or on 8305 4229.

Yours sincerely,



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