ONTARIO NONPROFIT NETWORK

POWERED
BY
DATA

September 8, 2021

Michael Maddock, Assistant Deputy Minister
Ontario Digital Service, Ministry of Finance
By email: michael.maddock@ontario.ca
and digital.government@ontario.ca

**Response to the Ontario Digital Service's consultation on the development of an
Ontario Data Authority**

Dear Mr. Maddock and colleagues,

We are writing on behalf of the Ontario Nonprofit Network (ONN) and Powered By Data in
response to your consultation paper on establishing an Ontario Data Authority. Thank you for the
opportunity to comment at this important juncture in the development of data policy in Ontario.

ONN is the independent network for the 58,000 nonprofits in Ontario, focused on policy, advocacy
and services to strengthen Ontario's nonprofit sector as a key pillar of our society and economy.

Powered by Data's mission is to maximize the availability and impact of data for public good.
Through an approach that blends data policy and data strategy development, Powered by Data
helps establish infrastructure and governance frameworks that will enable the social sector to
better share, use, and learn from data.

Summary of recommendations

1. Ensure that decisions about increasing access to data stewarded by government give
    priority to public interest considerations, including equity and community well-being, over
    the generation of private wealth from the commercialization of data currently stewarded
    by government.
2. Engage the nonprofit sector via an ongoing forum as data stewards, service delivery
    partners, civic advocates, and equity partners to support decision-making on data access
    while ensuring privacy, transparency, equity, and responsible data use and sharing.

3. Prioritize race-based and other forms of disaggregated data in releasing data about Ontario and Ontarians, using an intersectional gender-based analysis approach and tapping into nonprofit and community perspectives.
4. Convene ministry program areas with their nonprofit and municipal partners on administrative data sharing (between governments and nonprofits, across program areas, and across orders of government).
5. Prioritize open data that supports government and nonprofit service delivery planning; for example enrollment vs. eligibility numbers in government services, disaggregated by region and key demographic characteristics.
6. Prioritize open data that supports the nonprofit sector as an economic sector with a skilled, adaptable, and productive workforce of employees and volunteers, starting with Ontario Business Registry data.
7. Address capacity issues in the nonprofit sector to enhance its ability to steward data and engage in data-sharing initiatives and data policy development.
8. Develop Ontario Public Service initiatives and roles dedicated to sharing administrative data with the nonprofit sector partners (many of whom are the originators of provincial program data) and create trusted, secure intermediary data holders, building on the lessons learned from the UK Justice Data Lab and the Ontario Health Data Platform.

Introduction

Our network is interested in both questions of administrative data sharing, as well as open data for evidence-based policy making and program delivery. We support an ethical, principles-based approach to data use and sharing and we place equity, racial justice, and Indigenous data ownership at the core of our work on data policy.

Since 2017, Powered by Data and ONN have convened the [Data Policy Coalition](#), a group of over 30 nonprofits and charities with an interest in informing policies affecting administrative data sharing among Ontario ministries and nonprofits that deliver services on behalf of government. In the past few years, our coalition has engaged with the Ontario government on the [Ontario Data Strategy](#), the [importance of data-sharing](#) (with an equity lens) during a pandemic, [Ontario's Trustworthy Artificial Intelligence (AI) Framework](#), and [a proposed legislative framework for the protection of privacy in Ontario's nonprofit and private sectors](#). We were pleased to see changes to the Freedom of Information and Protection of Privacy Act (FIPPA) in May 2019, enabling the creation of Data Integration Units to allow for administrative data sharing between ministries and programs. We were also pleased to see Bill 138, schedule 30 passed in November 2019, putting additional safeguards on de-identified private information. Appropriate data-sharing with an equity lens can improve program evaluation, integration, and outcomes, as well as provide a basis for evidence-informed public policy development. We continue to work with the Ontario government on initiatives that advance this agenda, including on forthcoming privacy legislation.

Open data has also been a priority for our network. As far back as 2015, ONN and Powered By Data produced "[Towards a Data Strategy for the Ontario Nonprofit Sector](#)" and provided input to

consultations on the [first Open Data Directive](#). ONN's top priority on open data is to engage with the Ministry of Government and Consumer Services on the importance of ensuring open corporate data in the soon-to-be- launched Ontario Business Registry as a freely accessible source of information on the nonprofit sector.

We have a strong interest in seeing that the nonprofit sector's needs and priorities are reflected in the development of the Ontario Data Authority (ODA). We would be pleased to convene Ontario nonprofits on an ongoing basis to ensure that the development of the ODA, and Ontario's [Digital and Data Strategy](#) more generally, is informed by the experiences and priorities of Ontario nonprofits, many of which deliver services on behalf of government and all of which strive to make their communities better places to live, work, and play.

Our submission is organized thematically to respond to the consultation document. We have chosen to integrate our responses to the questions on Theme 4 (Ensuring equity and responsibility) into the sections on Themes 1 to 3 as we believe that equity and responsibility should be integrated into all discussions on data and privacy rather than treated separately.

Theme 1: Ensuring privacy and transparency *while ensuring equity and responsibility*

The nonprofit sector has a multi-faceted relationship with data that is distinct from both the public sector and for-profit corporations. Nonprofits are *stewards of data* collected through engagement with Ontarians as customers and service users; as voters, donors, and civic actors; as employees and volunteers; and as advocates for ethical data collection, ownership, and control, especially with respect to race-based and other disaggregated data and the data belonging to First Nations, Métis, and Inuit communities.

Nonprofits are also extensive *users of government data*, in assessing the needs and priorities of the communities they serve, in planning and evaluating the reach and impact of their programs, and in developing and implementing plans and priorities as employers, facilities managers, enterprises, and stewards of volunteers. Access to government data has become increasingly important as nonprofits have sought to refine their programs- and their organizational management- especially in the time of COVID-19 with much change. In this context, there are many opportunities for greater access to government data to enhance the work of the nonprofit sector.

You ask in your consultation guide, *How could government safely increase access to high-value, high-quality data?* It is difficult to answer this question without reference to specific use cases and without answering the questions, access *for whom?* High-value data *for whom?* This consultation is about "government data" specifically and we recommend that public interest considerations, including equity and community well-being, guide decisions about increasing access to data.

> ***Recommendation #1: Ensure that decisions about increasing access to data stewarded by government give priority to public interest considerations, including equity and community well-being, over the generation of private wealth from the commercialization of data currently stewarded by government.***

It will be important to involve representatives from diverse communities, especially those that have suffered historical disadvantage, to inform decision making on prioritizing data sets while ensuring privacy, transparency, and equity at the same time.

To fulfill their role as voices for diverse communities, nonprofits must be engaged on an ongoing basis. To this end, we recommend the creation of a quarterly or otherwise periodic forum with representatives from the nonprofit sector and key government ministries, both central agencies and line ministries.

> ***Recommendation #2: Engage the nonprofit sector via an ongoing forum as data stewards, service delivery partners, civic advocates, and equity partners to support decision-making on data access while ensuring privacy, transparency, equity, and responsible data use and sharing.***

Theme 2: Increasing access to high-value government data *while ensuring equity and responsibility*

We would prioritize three general areas of government data for increased access. The first focuses on the needs and priorities of our network: **nonprofits' varied mission-related needs for socio-economic, cultural, demographic, and environmental data.** This includes information on household income, homelessness, health equity gaps, location of sports facilities and greenspace, newcomer settlement patterns, and watershed ecosystem health. We would call this "data about Ontario and Ontarians." The second relates to **government-held program and planning data** (affordable housing approval and development pipelines, waitlists for services, access gaps and programming "deserts" related to arts and recreation programming, etc.). The third relates to **data about the nonprofit sector as an economic sector.**

Data about Ontario and Ontarians

While many nonprofits rely on Statistics Canada censuses and surveys and non-governmental research (e.g., academic and community-based studies) for their mission-related data needs, there is an important role to play for the Ontario Data Authority in increasing access to data about Ontario and Ontarians for policy development, program and service planning, and evaluation.

Our network has been encouraged by greater awareness about and availability of race-based and other forms of disaggregated data during the pandemic. We would like to see the Ontario Data

Authority prioritize the availability of disaggregated data so that evidence-based approaches to improving equity can be taken. An intersectional gender-based analysis (GBA+) approach is important so that better data becomes available on groups that are often underserved, such as women with disabilities or rural newcomers. Nonprofits have deep ties to the people they serve and would be pleased to bring community voices to inform any equity-focused approaches being considered by the ODA.

> ***Recommendation #3: Prioritize race-based and other forms of disaggregated data in releasing data about Ontario and Ontarians, using an intersectional gender-based analysis approach and tapping into nonprofit and community perspectives.***

Government-held data on programs and planning

As the biggest funder by far of health, education, and social services in Ontario, a major funder of arts and sports/recreation services, and a major regulator in areas such as health and safety, accessibility, environmental protection, and land-use planning, the Ontario Government holds important administrative data that can and should be shared ethically for program planning and evaluation, policy development, and service improvement.

While open data is important in this area for researchers, planners, and service providers, it is administrative data sharing among government bodies and nonprofits where unused data holds the greatest potential. A major opportunity rests in leveraging the vast amount of data provided to Ontario ministries by an estimated 12,000 to 15,000 nonprofits as part of transfer payment agreement program reporting. Work has begun on data-sharing arrangements but the full value of this evidence base has yet to be leveraged in terms of improved program quality, integration, policy development, and ultimately community outcomes.

The regulatory changes that enabled inter-ministerial Data Integration Units within the Ontario government are a promising development. It is important to emphasize that nonprofits create and report on much of the data used by government across nonprofit program and service areas, without necessarily getting back this data in any usable format. Further dialogue is required on the question of how nonprofits, as stewards of much program and community data, can engage in administrative data sharing as a two-way information street with their government funding partners. In addition, since many policy areas are a shared responsibility between levels of government (e.g., housing, health care, and newcomer services), an integrated approach involving front-line nonprofits as well as municipal service system managers should be followed.

Nonprofits are eager to partner with government to determine the best way to share appropriately this vast array of data in ways that support the public benefit while ensuring equity and responsible data use. In some cases, it will require administrative data sharing of personal information (e.g., to support longitudinal studies and produce better program evaluation data) and in other cases it will require the release of open data (e.g., data on program access issues or

environmental monitoring). Again, nonprofits and government can deliberate on priorities and processes at shared tables, ensuring the protection of private information via robust de-identification (and prevention of re-identification) in an integrated, cross-government approach. A good model already exists in ICES for personal health information. Similar models are required to leverage personal information in areas like education, employment, and social services.

> ***Recommendation #4: Convene ministry program areas with their nonprofit and municipal partners on administrative data sharing (between governments and nonprofits, across program areas, and across orders of government), building on existing practices in the use of de-identified personal health information stewarded by ICES.***

You ask specifically, *How will increased data sharing and getting access to government data benefit you or your organization?* It is not clear how the nonprofit sector can currently access data important to their programs and services. While the Open Data Directive (updated in 2021) still cites the principle of "open by default" and directs ministries and provincial agencies to be "fully transparent about their data assets," this appears to be far from current practice. The Open Data Catalogue is full of listings that have yet to be released.

One example that would be useful for program planning is to make available information about enrolment in government services (estimates of how many people eligible for a program are accessing it, disaggregated by geographic region and certain demographic characteristics). Every service delivery nonprofit also needs access to outcomes data for the individuals and households they serve. For more sample cases, please see the Data Policy Coalition's 2019 report, Administrative data for social impact in Canada (pg. 12- 15).

> ***Recommendation #5: Prioritize open data that supports government and nonprofit service delivery planning, for example enrollment vs. eligibility numbers in government services, disaggregated by region and key demographic characteristics.***

The nonprofit sector as an economic sector

This third area includes the nonprofit sector's economic contribution, labour force (paid and volunteer), skills gaps and growth trends, and enterprising activities- **our sector's economic, operational, and human resource (rather than mission-focused) data**. At present, for example, there is no public source of information on even the number of nonprofits incorporated in Ontario, or how many receive funding from the Province. Every few years, ONN must ask the Ministry of Government and Consumer Services for the number of nonprofits as it is not published otherwise. The lack of data on Ontario's nonprofit sector compared to Quebec's, by contrast, is quite shocking.

ONN and Powered By Data have long advocated for better federal data on the nonprofit sector (with some recent successes). When the proposal for an Ontario Statistics Office was announced in 2017, ONN asked for the new Office to have a focus on nonprofit sector data. More recently, we have approached the Ministry of Labour, Skills, Training and Development for support under the Labour Market Partnerships program to conduct a major study on the nonprofit sector so we have up-to-date, adequately granular information on our labour force, information that many other industries take for granted.

In the absence of official data on the Ontario nonprofit sector, ONN has conducted four sector surveys since 2019 (three since the pandemic began) to support nonprofits in comparing their own successes and challenges in areas such as operations, recruitment and retention, financial precarity, and fluctuations in demand for services. While we gather the data we can within our resource limitations, the sector's collective workforce would benefit from coordinated measurement, planning, and skills development initiatives that can only be carried out by the scale and accuracy that comes with government data collection and analysis.

For this reason we are recommending that opportunities such as the soon-to-be-launched Ontario Business Registry (OBR) not be missed. The OBR could provide open data on all kinds of elements of nonprofits as employers and corporations. This data-set will be a trove of information that we have long advocated to be a priority for open data.

> ***Recommendation #6: Prioritize open data that supports the nonprofit sector as an economic sector with a skilled, adaptable, and productive workforce of employees and volunteers- starting with Ontario Business Registry data.***

Theme 3: improving data delivery *while ensuring equity and responsibility*

The nonprofit sector in Ontario is vast and diverse, with a corresponding diversity in data use capabilities. Some nonprofits are large, employing hundreds of people and offering programs funded by federal, provincial and municipal governments, as well as perhaps operating subsidiary social enterprises. But most are small- of the 58,000 nonprofits in Ontario, half have no paid staff,[1] relying exclusively on volunteers to govern and operate their organizations; of those with paid

---

[1] Hall, Michael H, et al. Cornerstones of Community: Highlights of the National Survey of Nonprofit and Voluntary Organizations. Government of Canada, 2005, Cornerstones of Community: Highlights of the National Survey of Nonprofit and Voluntary Organizations. (p. 54). (In the present context, it is worth noting that this data is now 18 years old.)
https://www150.statcan.gc.ca/n1/pub/61-533-x/61-533-x2004001-eng.htm

staff, 50 per cent have between one and ten staff.[2] It is important that these smaller organizations are kept in mind as policy-makers work to make data more accessible to our sector.

There is an important role for the Ontario Data Authority in helping to build capacity in the nonprofit sector so that more organizations can access and appropriately use the data they need to achieve their missions. Digital and data skills have become increasingly central to program and service delivery, civic advocacy, and nonprofit management. This has become more apparent during the pandemic, when the majority of nonprofits adapted their programs to virtual delivery, had staff and volunteers working remotely, and made evidence-based decisions about safe reopening and resumption of in-person events.

It is currently very difficult for nonprofits to access financial and technical support for data skill development. The ODA could play a role in championing these functions in government and connecting nonprofits to the supports they require to participate in the data economy while carrying out their public benefit missions.

> ***Recommendation #7: Address capacity issues in the nonprofit sector to enhance its ability to steward data and engage in data-sharing initiatives and data policy development.***

One efficient model of data access that is worth learning from is the data lab model in the UK. The best known example is the [Justice data lab](), which enables a participating nonprofit to upload data for the cohort they serve and receive aggregate program outcomes information for that group, alongside that of an expert-chosen comparison group. The lab ensures privacy while greatly enhancing access (and facilitating program evaluation) for nonprofits engaged in service delivery.

Another excellent model is the [Ontario Health Data Platform](), which links large health datasets from a variety of sources to create an unprecedented volume of rich, connected data. OHDP was enabled by a COVID-era regulation permitting the collection of personal health information data sets for authorized research and data analytics to better support health system planning and responsiveness, including the immediate need to analyze the current COVID-19 pandemic. We have much to learn from this exercise in secure data-sharing for public benefit.

Rather than building capacity in every organization (which is not realistic), these models share capacity efficiently and data securely. The nonprofit sector would like to partner with the Ontario government on informing the development of trusted intermediaries across human service areas.

---

[2] McIsaac, Elizabeth, et al. Shaping the Future: Leadership in Ontario's Nonprofit Labour Force. Ontario Nonprofit Network, Mowat NFP, 2013, Shaping the Future: Leadership in Ontario's Nonprofit Labour Force. (p. 12).
[www.theonn.ca/wp-content/uploads/2011/06/ONN-Mowat-Shaping-the-Future-Final-Report.October2013.pdf]()

Recommendation #8: Develop Ontario Public Service initiatives and roles dedicated to sharing administrative data with the nonprofit sector partners (many of whom are the originators of provincial program data) and create trusted, secure intermediary data holders, building on the lessons learned from the UK Justice Data Lab and the Ontario Health Data Platform.
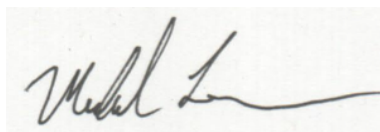
Conclusion

The nonprofit sector plays an important and multi-faceted role in working with the Ontario government to leverage data for public benefit. We are eager to partner with the Ontario Data Authority in appropriately leveraging data to improve programs and services, to develop better public policies, and to facilitate sector-wide knowledge development and workforce planning, all in the service of community well-being. As public benefit organizations and stewards of program and community data, nonprofits must play a role when data governance frameworks are being developed. Nonprofits provide bridges between government and communities, enhancing accountability, trust, and transparency as data governance frameworks are developed and deployed.

ONN and Powered by Data would be pleased to co-convene, with your staff, our Data Policy Coalition and other Ontario nonprofits on some or all of the broad issue areas identified in the consultation paper. Thank you for giving serious consideration to our recommendations.

Sincerely,

Cathy Taylor,
Executive Director
Ontario Nonprofit Network

Michael Lenczner,
Founding Director
Powered By Data

Copy to: John Roberts, Chief Privacy Officer & Archivist of Ontario, Ministry of Government and Consumer Services (MGCS) via john.roberts@ontario.ca
Shawn Lawson, Assistant Deputy Minister, Corporate Services, MGCS via Shawn.Lawson@ontario.ca
Doris Dumais, Director, Human and Social Services Transfer Payment Modernization Project Office, Ministry of Children, Community and Social Services via doris.dumais@ontario.ca