Designing data sharing arrangements : Institutional choices for regulators

Synthesis of a webinar

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Designing data sharing arrangements : Institutional choices for regulators

Speakers

Victor Baldrich | Coordinator of Strategic Foresight and Innovation, Communications Regulatory Commission (CRC)

Anna Pietikäinen | Head of Regulatory Policy, OECD Public Governance

France Pégeot | Chair and CEO, Canadian Transportation Agency and Chair, OECD Network of Economic Regulators

Bruno Schmutz | Head of Research, French regulatory authority for Audiovisual and Digital Communication (ARCOM)

Rob Velders | International Consultant on Regulatory Enforcement

Moderator

Eric Brousseau | Scientific Director, Governance and Regulation Chair

Sommaire

This webinar was jointly organised by the Governance & Regulation Chair and the OECD.

In an increasingly data-driven world, regulators face mounting expectations to act swiftly, transparently, and effectively in complex and evolving markets. At the heart of this transformation lies a fundamental question: how can data be shared, governed, and leveraged to support better regulatory outcomes?

This session set out to explore the institutional choices that underpinned data-sharing arrangements, recognising that the way data flowed between actors was as important as the data itself.

The discussion was framed by a growing tension between opportunity and constraint. On the one hand, data offered unprecedented potential to reduce information asymmetries, strengthen oversight, and enable more targeted and proportionate interventions. On the other, regulators had to operate within intricate legal frameworks, respect confidentiality and privacy, and manage organisational and technical barriers that often hindered effective collaboration. Understanding how to navigate these competing demands was central to modern regulatory practice.

A key objective of the session was to move beyond abstract principles and examine the practical realities of implementation. What institutional models were available to regulators seeking to share data—centralised platforms, bilateral agreements, or intermediary structures—and under what conditions did they succeed? How could responsibilities be clearly defined, incentives aligned, and governance mechanisms designed to ensure both efficiency and accountability? These questions were critical for regulators operating across sectors and jurisdictions.

Finally, the session invited reflection on the broader implications of data sharing in a rapidly changing technological landscape. As artificial intelligence expanded the scope of what constituted "data" and how it could be analysed, regulators had to reconsider not only their tools but also their boundaries. Striking the right balance between innovation and restraint, openness and control, would determine whether data sharing became a driver of public value—or a source of new risks.

Introduction

Anna Pietikäinen | Head of Regulatory Policy, OECD Public Governance

Welcome to this online workshop on designing data-sharing arrangements, focusing on institutional choices for regulators, jointly organised by the OECD and Université Paris-Dauphine.

I am pleased to open this session and to launch a new phase of collaboration with Eric Brousseau and Dauphine University. This webinar is the first in a planned series on data and digitalisation for this year and next, building on our longstanding partnership. Many of you will recall our previous in-person seminars in Paris; we are delighted to continue this exchange virtually. Today's discussion also builds on prior OECD work and a recent October 2025 webinar with the Brazilian telecommunications regulator.

Data lies at the heart of regulatory mandates. Regulators rely on timely, accurate, and coordinated data to monitor sector performance, assess risks, and address information asymmetries with regulated entities. While regulators often have strong powers to request data from industry, significant challenges persist in sharing it effectively. In practice, this can lead to inefficiencies such as multiple authorities requesting the same information repeatedly.

These challenges fall into one of several categories:

- there is a need to clarify what data should be shared and for what purpose;
- institutional roles and responsibilities must be clearly defined—who collects, maintains, and coordinates data;
- regulators must navigate complex legal frameworks, including confidentiality and privacy requirements, which vary across jurisdictions;
- there is a growing need to consider broader public engagement and future data uses.

In this context, today's session focuses on practical institutional solutions. We will examine legal, technical, and organisational barriers to data sharing, approaches to balancing openness with confidentiality, and different models such as centralised platforms and bilateral agreements.

We are fortunate to be joined by three distinguished speakers: Rob Velders from the Netherlands, Victor Baldrich from Colombia's Communications Regulatory Commission, and Bruno Schmutz from the French regulator Arcom. Following their presentations, we will open the floor for discussion and questions.

Eric Brousseau | Scientific Director, Governance and Regulation Chair

I am delighted to continue our collaboration between the Governance and Regulation Chair at Université Paris-Dauphine and the OECD's Network of Economic Regulators.

This webinar series will explore how data—and particularly data sharing—can improve regulation by reducing information asymmetries among stakeholders. We will also hold an in-person conference alongside the next NER meeting on 15 April.

We have a tight schedule today and will begin immediately with three presentations from regulators operating in different contexts.

Our first speaker is Rob Velders, an independent expert in supervision and enforcement. He previously worked for the Dutch government, including the Ministry of Environment, and led national efforts to improve cooperation among inspectorates. He has also published extensively on enforcement practices.

Three perspectives

Rob Velders | International Consultant on regulatory enforcement

In 2005, I was appointed programme manager to improve cooperation among inspectorates in the Netherlands. At the time, inspectorates were often seen as burdensome and ineffective.

Quickly realising how fragmented the system was, with many inspectorates operating independently and with limited awareness of each other, I proposed that data systems be connected, as a means of reducing the burden on companies. The idea was flatly rejected. It was not until 2010 that the concept was revisited and accepted. By 2013, a shared data platform—InspectionView—was established.

Recently, I published a report reflecting on 12 years of experience with this system, highlighting lessons learned, including costly mistakes that others may wish to avoid.

InspectionView is a government-only platform that aggregates data automatically from participating inspectorates' systems. It does not require manual data entry. Around 50 authorities are connected, including National Inspectorates (Environment, Labour, Food and Consumer Safety), Regional Environmental Services, Police Units, and Water Boards.

Inspectors access information by entering the name of a company when preparing an inspection. The system then displays all inspections carried out over the preceding five years—no earlier data is retained—including which authorities conducted the inspections, when they took place, and their outcomes. Importantly, the platform does not include data directly requested from companies; it relies exclusively on information already recorded by inspectors in their own systems.

This comprehensive overview enables inspectors to make informed decisions about whether to visit a company and how to prepare for such visits. They can review prior inspection activities, understand the findings of other authorities, and identify patterns of compliance or non-compliance. This, in turn, allows for more targeted selection strategies, for instance prioritising companies with poorer compliance records over those consistently meeting regulatory standards.

The system also supports extensive data analytics, drawing on a dataset comprising approximately two million inspections.

All data covers a rolling five-year period and is updated daily, ensuring that inspectors always work with the most current information available. Importantly, the system does not store original data independently; it reflects data drawn from existing systems. Given the sensitivity of information—including company and personal data—access is strictly controlled.

InspectionView is hosted by the Environment and Transport Inspectorate, which assumed responsibility early on, though governance is shared among participating authorities.

InspectionView operates under shared governance, with participating authorities jointly overseeing its use and development through various coordination platforms. A legal obligation requires authorities to connect, which has proven essential given the financial costs—both for system integration (e.g. APIs) and ongoing contributions. The platform's annual budget is approximately €2.2 million a year on average, split evenly between maintenance and further development.

The system enables improved risk assessment and more efficient inspections, including coordinated actions across authorities. Advanced analytics support faster identification of serious risks, enhancing public protection and contributing to fairer enforcement practices.

Several key lessons have emerged.

1. Data quality is the decisive factor. Combining datasets is relatively easy, but ensuring consistent, high-quality, and comparable data across multiple authorities is extremely difficult. Without strong, shared standards and continuous monitoring, the value of data sharing is severely limited—even between just two organisations, let alone dozens.

2. Governance, legal mandate, and leadership are essential. A legal obligation to share data is crucial to secure participation, especially when costs arise. At the same time, strong leadership is needed to drive adoption internally, while involving a sufficient number of participants ensures the system delivers real value. Without these elements, cooperation remains fragile.

3. Real benefits require time, investment, and analytics. Data sharing is a long-term effort that demands sustained investment, particularly in analytics to unlock insights from large datasets. Results do not appear immediately, and the complexity of implementation is often underestimated—yet significant value ("hidden gold") can be uncovered over time.

Eric Brousseau | Scientific Director, Governance and Regulation Chair

This was an excellent introduction to the subject. The difficulties of implementing data sharing are much the same within the public sector as they are among stakeholders in regulated industries.

Our next speaker is Victor Baldrich, from the Colombian Communications Regulator. With six years of experience as a communications regulator and responsibility for strategic foresight and innovation since 2026, he will present the Colombian experience.

Victor Baldrich | Coordinator of Strategic Foresight and Innovation, CRC

It is a pleasure to present the role of data exchange in data-driven regulation and to explain what has been developed at the CRC in Colombia. Information is the regulator's key asset. Data-driven decision-making lies at the heart of the CRC's regulatory process, and every regulatory project is subject to regulatory impact analysis founded on reliable information.

Since 2020, the publication of relevant information for stakeholders has been central to regulation. The work is guided by principles of transparency and access to information. All information that may be made public is shared with stakeholders and the wider public, enabling a stronger understanding of the industry and helping the regulator anticipate trends and developments in the communications sector. This information is based on reports submitted by regulated entities through a centralized platform operated with the ministry.

Working from these reports, the CRC conducts additional studies and cooperates with other authorities and governments in order to stay ahead of market developments and complete the regulatory cycle. These efforts are legally harmonized and evolve continuously in line with the sector's changing data requirements.

In 2021, the CRC launched PostData, an open-data platform through which all information collected and produced by the CRC is made publicly available. It currently contains 218 data resources, 133 analytical briefs, and 69 reports and in-depth studies on specific topics, together with thematic dashboards. PostData provides a centralized database, reduces duplication, and ensures that verified information can be reused across regulatory processes, public consultations, and other institutional needs.

Publishing the data also strengthens its quality, since regulated entities can review it, raise concerns, and seek clarification. This, in turn, makes it possible to build innovative regulatory tools. One example is the regulation of mobile service quality. The CRC replaced the traditional system—based on personnel travelling to different parts of the country—with a crowdsourced

model using data from users' phones. This was made possible by the regulator's ability to assess the full costs and limitations of the old method and to conduct a cost-benefit analysis of the new one. The revised system increased coverage from 52% to 82% while reducing costs for regulated entities by more than 90%.

Data is also made available directly to users in order to support informed choices and strengthen accountability. One public platform provides information on mobile service quality at municipal level, enabling users to compare operators and demand better performance. Another tool compares mobile packages and fixed-line offers from operators with more than 30,000 users, allowing consumers to assess prices and service characteristics more effectively.

Information also serves to build trust through evidence. Since 2020, the CRC has carried out in-house impact evaluations and has published 27 evaluations of results and impacts as part of its ex post regulatory analysis. The major change in Colombia has been the availability of data of sufficient quality to support econometric analysis, improving decision-making and reassuring the sector that regulatory measures will be tested and adjusted where necessary.

Finally, regional data benchmarking helps identify priorities and concerns. One example is the use of 29 telecommunications indicators comparable across countries in the Americas. These metrics show where Colombia is ahead of the market and where greater regulatory attention is required in order to remain effective and relevant for users.

Eric Brousseau | Scientific Director, Governance and Regulation Chair

Thank you very much. The floor now passes to Bruno Schmutz of Arcom. For the past three years, he has served as Director of Studies and Research at the French regulatory authority for audiovisual and digital media. He will explain how the French regulator accesses data in the context of the EU Digital Services Act, which imposes significant constraints on both large platforms and regulators themselves.

Bruno Schmutz | Head of Research, ARCOM

As Head of Research at Arcom, the French regulatory authority for television, radio, and the internet, I would first like to explain why data is indispensable to regulation.

To regulate effectively—that is, to influence the behaviour of the companies subject to regulation—it is first necessary to understand the market and its evolution. This requires data.

Data is also necessary for decision-making and enforcement, including, where appropriate, the imposition of sanctions. In France, for example, the speaking time of political figures is regulated during election periods. Compliance by radio and television channels must therefore be measured, and where the rules are not respected, sanctions may follow.

A third purpose of data is to evaluate the impact of regulatory decisions. One recent example concerns pornographic platforms, which must not be accessible to minors in France. These platforms are required to verify the age of their users. To ensure that this obligation is respected, it is necessary to measure their audience and confirm that minors no longer have access.

Finally, data can itself exert pressure on regulated companies. Simply publishing data may influence behaviour; in this sense, regulation can become genuinely data-driven.

As regards data sharing, the issue may be considered from two perspectives: who shares data with the regulator, and with whom Arcom shares data. The first question concerns Arcom's principal sources of information. These include the industry and regulated companies, although in practice

the volume of data received from them remains limited. Traditional media also provide some data, but only to a certain extent.

Data from digital platforms remains largely inaccessible, as platforms are reluctant to share it and instead seek to retain exclusive control. This creates a major challenge, particularly for developing expertise in areas such as algorithmic audits, where understanding platform algorithms requires direct access to data. At present, neither access rights nor data-scraping capabilities are available, resulting in a significant data gap.

A second major source of data consists of measurement companies. In the media and digital sectors, these firms provide valuable information on audiences, usage patterns, revenues—particularly advertising revenues—and content. Audience data is obtained from companies comparable to Médiamétrie, while advertising revenue data is provided by specialised firms. These sources constitute a substantial portion of available market intelligence.

A third source lies in academic research. Strengthening collaboration with academic institutions enables access to datasets and studies—particularly on digital platforms—thereby enhancing overall understanding of the sector.

Regarding data dissemination, several categories of recipients can be distinguished. First, data is shared with the industry to define the scope of regulation and identify which entities fall under regulatory oversight. Second, data is shared extensively with public institutions—including the government, parliament, the European Commission, and other regulators—to raise awareness, support policymaking, and contribute to investigations.

Third, data is shared with the general public and the media. For instance, recent research on vulnerability to misinformation was publicly released, generating significant media attention. Such dissemination raises awareness of critical issues and reinforces the visibility of the regulator's role, particularly in emerging areas such as digital platform regulation.

Finally, data is made available to researchers and academics through the national open-data platform, data.gouv.fr, enabling further analysis and contributing to a broader understanding of the market.

A further development concerns the evolving nature of data. With advances in artificial intelligence, all forms of content—text, video, audio, and images—are now treated as data. While the objectives remain unchanged, the methods, skills, and technical capacities required to process such unstructured data differ substantially. For example, monitoring compliance with rules on food advertising aimed at young audiences has shifted from manual verification to automated detection using algorithms capable of identifying nutritional scores in video content.

This technological evolution enables the processing of vast quantities of data but also raises concerns regarding proportionality. While it is now technically possible to collect and analyse data at an unprecedented scale, excessive data collection risks undermining fundamental freedoms, including freedom of expression and editorial independence. A careful balance must therefore be maintained.

Discussion

Eric Brousseau

The floor is now opened for discussion. A live poll has concurrently been opened to gather participants' views on the main obstacles to data sharing—whether legal, technical, or organisational—and on the most effective institutional models, including centralised platforms, bilateral or multilateral agreements, or intermediary "trusted third-party" solutions.

Before proceeding, I invite Aymeric Pontvianne, Chief Economist at the CNIL, to present the legal perspective on data sharing in Europe, particularly regarding personal data.

Aymeric Pontvianne

The legal framework governing data sharing depends fundamentally on whether the data concerned are personal. Personal data, defined by the EU General Data Protection Regulation as data relating to identified or identifiable individuals, triggers the application of data protection regimes.

In many regulatory contexts, data may be aggregated and anonymised, and therefore fall outside the scope of personal data protection. However, in certain domains—such as anti-money laundering—regulators need access to individual-level data, making the legal framework highly relevant.

From a legal standpoint, data sharing is generally possible under appropriate conditions.

In vertical relationships between regulators and regulated entities, two cases arise. In the context of formal investigations, regulators benefit from specific legal powers that facilitate data collection, sometimes without requiring notification to the individuals concerned. In contrast, for general oversight activities, standard data protection principles apply, including purpose limitation and transparency obligations, requiring that individuals be informed of how their data is used.

An example from France illustrates this: gambling operators are required by law to implement technical systems enabling the regulator to access real-time data on transactions. While intrusive, this arrangement is legally grounded and accompanied by clear information to users.

In horizontal data sharing between public authorities, additional constraints arise, including professional secrecy in order to protect business secrets. Data collected for one regulatory purpose cannot automatically be reused for another. Effective data sharing therefore typically requires a clear legal basis, which both authorises the transfer and establishes safeguards for its implementation.

A last case concerns situations where regulation requires data sharing between regulated entities themselves. An example arises from the opening of the gas market in France, where new entrants were granted access to the customer database of the incumbent operator. The competition authority, in consultation with the CNIL, determined in 2014 that such data sharing could be permitted, provided that individuals were granted the right to object. This approach achieved a balance between market competition and the protection of personal data.

In summary, while multiple configurations exist, the establishment of a clear legal basis is generally the most effective solution. It provides clarity, ensures compliance with data protection rules, and can override other legal constraints where necessary. Ultimately, trust and transparency are fundamental: effective regulation depends on maintaining trust between regulators, regulated entities, and citizens, and the protection of personal data is central to that trust.

Eric Brousseau

The discussion highlights the difficulty of adopting a uniform approach to data sharing across regulatory domains. The feasibility and desirability of data sharing depend on the sector, the regulatory mandate, and the balance between competing objectives.

In certain domains, such as safety or environmental compliance, data sharing may be widely accepted and easier to organise. In contrast, economic regulation often involves balancing the privacy of firms and individuals with the objective of reducing information asymmetries among stakeholders. The case of digital platforms illustrates this tension particularly clearly, as regulators face asymmetries of information when platforms decline to share data.

Olivier Champagne

How can we manage the articulation between regulatory obligations and open data, including how individuals and firms are informed about the use of their data?

Rob Velders

In the case of InspectionView, data sharing between inspectorates is based on a legal obligation. However, the companies concerned are generally not fully aware that inspection results are accessible to multiple authorities. While the system is not secret, it is not widely known, and the data is not open to the public. This raises unresolved questions regarding transparency and best practices in informing stakeholders, which I am realising only now.

Tom Ferris

Thank you, Chair. I have a particular interest in ex-post evaluations and was therefore especially attentive to Victor's remarks on this topic. I would like to ask whether, in any of these evaluations, issues have arisen concerning the potential misuse of data once data-sharing arrangements have been established.

Eric Brousseau

My question is the following: to what extent do you share data on service quality with the general public and public authorities? More specifically, how far are the data you collect made available as open data to stakeholders?

Victor Baldrich

In the Colombian context, sensitive data is managed internally and not disclosed publicly. Only aggregated results and analytical outputs are published. For instance, in quality-of-service measurement, operators collect data through third parties and provide statistically representative results to the regulator. These results are made publicly available, and user engagement has increased significantly, both in terms of consultation and feedback.

Aymeric Pontvianne

I have a brief question for Bruno. Under Article 40 of the Digital Services Act, Arcom has gained new powers relating to access to platform data for research purposes. As France's Digital Services Coordinator, how do you assess this mechanism? Is it functioning effectively, and could it serve as a model for other regulatory frameworks?

Judith Herzog (ARCEP)

To what extent could platform users voluntarily share their data—so-called data donation—to support regulatory analysis and academic research?

Bruno Schmutz

Regarding Article 40, we are still at a very early stage. This mechanism does not grant Arcom direct access to platform data. Instead, our role is to assess and pre-approve academic research projects, which are then submitted to the lead regulator—typically in Ireland, where most platforms have their European headquarters.

So far, we have reviewed a small number of projects, none of which fully complied with all requirements. Researchers have therefore been asked to revise and complete their proposals. Nevertheless, we remain confident that the process will become more effective as all parties gain experience. A key next step will be ensuring that platforms actually provide access once projects are approved, which is not yet guaranteed.

As for data donation by users, this is an avenue we are actively exploring. Currently, regulators lack the legal authority to scrape platform data or to use data collected by third parties. Voluntary data sharing by users could therefore represent an alternative means of accessing platform information. However, this approach raises legal questions, and we are still assessing its feasibility in consultation with our legal teams.

Eric Brousseau

The discussion underscores the complexity of balancing data sharing with the protection of privacy and fundamental freedoms. These issues will be explored further in future webinars and forthcoming in-person meetings.

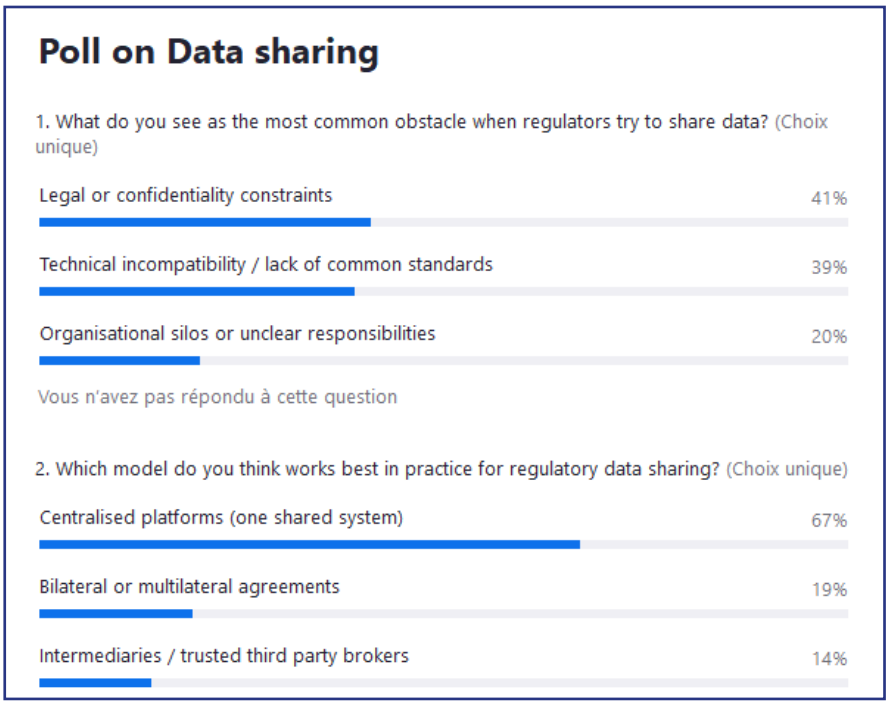
I now invite France Pégeot to deliver concluding remarks.

France Pégeot

Thank you to all panellists and participants for this rich and engaging session. The discussion clearly illustrates that data is increasingly viewed as a strategic asset—both by companies, which use it internally and seek to monetise it, and by governments and regulators, which hold vast quantities of data that can significantly enhance public outcomes if effectively used and shared.

As highlighted throughout the session, data sharing offers considerable benefits. For regulators, it enables a deeper understanding of risks, market dynamics, and emerging trends, allowing for more targeted and effective interventions. For regulated entities, it can reduce administrative burdens and costs—for example, by limiting duplication in data requests or inspections. For consumers, it can improve transparency and empower better-informed choices.

However, these benefits are not easily realised. Significant challenges remain, particularly regarding data quality: determining what data to collect, ensuring its accuracy, maintaining and improving it over time, and making it usable across institutions. Internal adoption is also critical—regulatory staff must actively use the data—and this requires both leadership and a strong organisational culture. In addition, sustained investment in data analytics is essential to extract meaningful insights from increasingly large datasets. The protection of personal data remains a central and non-negotiable requirement throughout.



The audience poll reinforces these findings. Legal and confidentiality constraints were identified as the primary obstacle by 41% of respondents, closely followed by technical incompatibilities and the lack of common standards at 39%. A clear majority—67%—considered centralised platforms to be the most effective model for regulatory data sharing.

Beyond these operational aspects, trust and governance emerge as fundamental. Regulators must navigate complex trade-offs: balancing openness with confidentiality and privacy, efficiency with accountability, innovation with legal certainty, and national frameworks with cross-border cooperation. They must also reconcile their own institutional needs with the broader goal of sharing data across authorities, whether within a country or internationally.

Artificial intelligence, which I had expected to hear more extensively discussed today, will undoubtedly play a growing role. It offers new opportunities for data processing and sharing but also introduces additional challenges. As rightly noted, the increasing availability of data does not justify indiscriminate collection; proportionality and purpose must remain guiding principles.

Finally, I would like to express my sincere thanks to Eric for moderating the session, to all speakers for generously sharing their insights and practical experiences, and to the OECD for organising this event. This is precisely the purpose of the Network of Economic Regulators: to exchange concrete lessons, learn from one another, recognise shared challenges, and collectively advance solutions.

Eric Brousseau

Thank you very much for these concluding remarks. Let me reassure participants that this conversation will continue. One of the upcoming webinars will be dedicated specifically to artificial intelligence and its use in relation to regulatory data.

The next webinar, scheduled for 17 June, will focus on how data can be translated into concrete regulatory impact, under the theme “From Information to Impact.” In addition, as announced earlier, an in-person conference will take place on 15 April in Paris, alongside the next meeting of the Network of Economic Regulators. This event will explore how data sharing, artificial intelligence, and data science can contribute to the sustainability of regulatory systems.

Before closing, I would like to warmly thank three colleagues from the OECD who played a key

role in organising this webinar: Florian Schmalz, Yola Thürer, and Giuseppa Ottimofiore. They will continue to contribute to the organisation of future events in this series.

Thank you all once again for your participation. We look forward to seeing many of you in Paris in the coming weeks and to continuing these important discussions.

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