

SUBMISSION TO DCMS PUBLIC CONSULTATION ON ‘DATA: A NEW DIRECTION’

Parental Social Licence for Data Linkage for Service Intervention research team:

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Our submission to the consultation on *Data: A New Direction* concerns the proposals for reform to data protection set out in Chapter 4 – Delivering Better Public Services. Two main data areas for new directions in the delivery of public services are put forward in the Chapter, and form the basis for the concerns we raise in this submission:

- Reform of legal and cultural limitations on data sharing
- Expansion of data processing and sharing provisions to private companies

While the government recognises the need for high levels of public trust and transparency in the data regime, public concerns and caveats are not acknowledged.

Findings from our [Parental social licence for data linkage for service intervention](#) research show that:

- **There is little public support for any flexibility in data protection requirements; rather public trust is dependent on there being strong levels of regulation and safeguarding in place.**
- **Public trust in joining up administrative data and data analytics among marginalised population groups is already fragile. Their concerns need to be addressed if social legitimacy and trust is not to be further undermined, with consequences for a cohesive and equal society.**
- **There is no social legitimacy accorded to private sector access to and involvement in public sector administrative data sharing and analytics.**
- **It is vital that Government pays heed to the evidence on public trust and presses pause on the data sharing and AI systems for public services, and put strong regulatory measures in place before consulting on further reform.**

We explain and evidence these points here:

1. Our [Parental social licence for data linkage for service intervention](#) project finds little social legitimacy and trust for data sharing among public services, nor for private sector involvement in data analytics.

We commissioned a representative online and telephone survey of parents of dependent children across the UK, which shows that:

- Only around half of parents overall said they trusted services to join together administrative records. Marginalised social groups, such as Black parents, low income families, young parents, and large families, show particularly low levels of trust in data linkage by many public services, and especially the police. This

points to a worrying level of distrust toward government and public services among those in society who are most marginalised.

- Transparency and informed consent to use of their administrative records is important for parents. There is a strong view that parents need to be asked permission for administrative records about their family to be linked together.
- There is no social legitimacy for outsourcing to commercial companies to use algorithms to target public services, with a majority of parents against this among all social groups.

2. Our focus group discussions underline the survey findings:

“I think that this whole sharing of information and data is fundamentally wrong without consent because it’s my data. It belongs to me, this information. It is not information that should be sold or shared with any other agency without my consent.” (Mother)

“When [our support organization] deal with individuals that might be victim of circumstance, that, at that point in time, they had to get in debt just to, kind of, put food on the table. And that’s a moment in time. Is that going to be reflected? And if it’s not, then you’re taking raw data and creating a meaning without having all the information to hand, which I think, potentially, could be quite dangerous ... A moral and ethical private business that fundamentally protects individuals’ data at the expense of shareholders’ returns doesn’t exist, because they would be out of business, by definition. So, I, on a personal level, am wary.” (Father)

“I’m quite negative about [private data analytics companies working with public administrative records] to be honest. Because I would be interested to know like what is the prerequisite for the people that are working for these private companies? Like how are they vetted? ... Like no, I’m not comfortable with that at all. That needs to be seriously regulated.” (Mother)

3. The Centre for Data Ethics and Innovation polling data that is referred to in chapter 4 (p.103) show that the public is looking for strong controls to be in place.

On data sharing between departments and between organisations, the highest responses on the Likert scales used in the survey (7.0+) concern:

- Strict controls on who can access the information and how it is used
- Heavy fines and possible prison sentences for anyone caught misusing the information
- Being informed of exactly who the information is being shared with
- The option to opt-out of the local council sharing the information
- Only the minimum necessary information is shared with central government

The CDEI polling data and our own research findings do not endorse the proposed measures for reforming the use of data in public services, and raise serious concerns about public trust and the social legitimacy of data linkage and data analytics.

The recent United Nations High Commissioner of Human Rights’ report calls for a pause in the use of data sharing and AI systems for profiling, automated decision-making and machine learning, on the basis of concerns about individual rights to privacy.

It is vital that Government pays heed to the evidence on public trust and to the UN High Commission’s call for a moratorium so that robust measures to build and maintain social legitimacy for access to and use of administrative data are put in place before consultation with the public on the acceptability of any data reforms.