



coordinator@medconfidential.org

Second Reading Briefing: Digital Economy Bill - Part 5 (Digital Government)

The “Digital Government” part of the Digital Economy Bill shows blatant contempt for any notion of citizen privacy and removes existing protections from citizens’ data when it is held by Government on their behalf.¹

Scope: s29(10) will allow personal data on citizens to be shared if there is a “contribution by them to society” or “well-being” to be gained. Is there anything that doesn’t cover?

Health Data included? While the Government suggests that health and social care data is excluded from the Bill in practice, that language does not appear on the face of the Bill, and data is routinely laundered such that it is about an individual, and based on health data, but owned by another department. For example, DWP continues to want NHS data from GPs,² but does not wish to consider any NHS assessment of the health of a patient. This is not about using data to break down Whitehall silos, but allowing parochial processes to demand data to support their preconceived decisions.

Bulk sharing of civil registration data: The benefits of service being able to request confirmation of birth/marriage/death electronically, when requested by the citizen, is not of deep concern. However, the scope of s38 is not limited to a single request, but allows complete databases of the entire population to be copied at the request of a Department.

Secretive: Existing data sharing legislation (Statistics and Registration Service Act 2007) requires Parliamentary approval for permanent data flows. Part 5 of the Bill requires no transparency at all - all flows may now happen in secret without any external scrutiny...

Invasive: Data covered is from any source that a department can get its hands on. This includes “gym memberships” and “travel card or store data”, which the Cabinet Office claim are “not related to people or humans”³...

Creepy: All publicly funded science has to go through ethics approval and independent peer-reviewed scrutiny of a hypothesis, except for the Cabinet Office’s notion of “data science”. This Bill requires no review - that a civil servant is working on a project is assumed to be suitable justification to get any data they like. This is care.data for the rest of Government, & a Privacy Impact Assessment that fits on a single piece of paper⁴...

¹ <https://medconfidential.org/2016/when-is-personal-data-not-personal-data/>

² <http://digital.nhs.uk/media/18964/2118652015isn/pdf/2118652015isn.pdf>

³ <https://data.blog.gov.uk/wp-content/uploads/sites/164/2016/05/Example-of-conjoint.jpg>

⁴ <https://medconfidential.org/2016/data-in-the-rest-of-government-the-cabinet-office-data-programme/>