

UK launches data reform to boost innovation, economic growth and protect the public

- Plans include tougher penalties for nuisance calls and text messages
- Government wants new data regime “based on common sense, not box ticking” to cement UK’s position as a science and tech superpower
- Consultation launched today will also examine what more can be done to mitigate algorithmic bias
- World-leading experts appointed to the Centre for Data Ethics and Innovation’s advisory board to drive trustworthy innovation

The Information Commissioner’s Office (ICO) is set for an overhaul to drive greater innovation and growth in the UK’s data sector and better protect the public from major data threats, under planned reforms announced by the Digital Secretary Oliver Dowden today.

One year on from the publication of the National Data Strategy, the government has today launched a wide-ranging [consultation](#) on proposed changes to the UK’s data landscape. As part of this, a new governance model is planned for the ICO, including an independent board and chief executive to mirror the governance structures of other regulators such as the Competition and Markets Authority (CMA), Financial Conduct Authority (FCA) and Ofcom.

This follows the selection of John Edwards as the government’s preferred candidate as the new Information Commissioner, who is currently serving as the New Zealand Privacy Commissioner.

Now that we have left the EU, the government wants to create a pro-growth and trusted data regime that unleashes data’s power across the economy and society, for the benefit of British citizens and British businesses.

The reforms outlined in this consultation will:

- Cement our position as a science superpower, simplifying data use by researchers and developers of AI and other cutting edge technologies.
- Build on the unprecedented and life-saving use of data to tackle the COVID-19 pandemic.
- Secure the UK’s status as a global hub for the free and responsible flow of personal data – complementing our ambitious agenda for new trade deals and data partnerships with some of the world’s fastest growing economies.
- Reinforce the responsibility of businesses to keep personal information safe, while empowering them to grow and innovate.
- Ensure that the ICO remains a world-leading regulator, enabling people to use data responsibly to achieve economic and social goals.

Reforms will broaden the remit of the ICO and empower the Information

Commissioner to champion sectors and businesses that are using personal data in new, innovative and responsible ways to benefit people's lives in areas such as healthcare – building on the use of data in tackling Covid-19 – and financial services.

The government wants to remove unnecessary barriers to responsible data use. This can help deliver more agile, effective and efficient public services and further strengthen the UK's position as a science and technology superpower.

A recent example is researchers from Moorfields Eye Hospital and the University College London Institute of Ophthalmology making a breakthrough in patient care using AI technology. The researchers successfully trained machine learning technology on thousands of historic de-personalised eye scans to identify signs of eye disease and recommend how patients should be referred for care. This new way of using data has the potential to revolutionise the way professionals carry out eye tests. The government's data reforms will provide clarity around the rules for the use of personal data for research purposes, laying the groundwork for more scientific and medical breakthroughs.

Digital Secretary Oliver Dowden said:

Data is one of the most important resources in the world and we want our laws to be based on common sense, not box-ticking.

Now that we have left the EU, we have the freedom to create a new world-leading data regime that unleashes the power of data across the economy and society.

These reforms will keep people's data safe and secure, while ushering in a new golden age of growth and innovation right across the UK, as we build back better from the pandemic.

The protection of people's personal data will be at the heart of the planned data reform. Far from being a barrier to innovation or trade, regulatory certainty and high data protection standards allow businesses and consumers to thrive.

The consultation sets out plans to impose tougher penalties and fines for nuisance calls and text messages. These sanctions would be overseen by the ICO and build on government action in recent years that has included holding individual directors liable for nuisance calls made by their respective companies.

The government will maintain the UK's world-leading data protection standards and proposals will be built on key elements of the current UK data protection regime (General Data Protection Regulation (UK GDPR) and Data Protection Act 2018), such as principles around data processing, people's data rights and mechanisms for supervision and enforcement.

However, the government recognises that the current regime places

disproportionate burdens on many organisations. For example, a small hairdressing business should not have the same data protection processes as a multimillion pound tech firm. Our reforms would move away from the “one-size-fits-all” approach and allow organisations to demonstrate compliance in ways more appropriate to their circumstances, while still protecting citizens’ personal data to a high standard.

The use of algorithmic or automated decision-making is likely to increase substantially in coming years. We want organisations to be confident that their AI-powered services are a force for good and will not inadvertently harm consumers.

Reforms to our data regime can also help ensure that organisations can better understand and mitigate the risk of bias in their algorithmic systems. These aim to help organisations identify what is driving bias, so that they can take steps to make sure their services are not inadvertently biased or replicating societal and historic discrimination, or drawing inferences that could be deemed unfair (for example, insurers predicting someone’s fitness levels from their purchasing habits).

Minister for the Cabinet Office Lord Frost said:

These reforms are another example of how, having gained new regulatory freedoms outside of the EU, we can now take bold action in the national interest and in the interest British businesses and consumers.

Our new data regime will cement our status as a science superpower by removing unnecessary burdens and boosting innovation and growth right across the UK.

Bojana Bellamy, President of Centre for Information Policy Leadership (CIPL), said:

The UK Government’s plan to reform data protection regime is bold and much needed in the modern digital and data driven age. It could be a win-win for all – organisations, individuals, and society.

It enables organisations to leverage data responsibly, for economic and societal benefits and to build their brand as trusted data stewards. It gives individuals assurances and more effective protection from genuine harms.

Accountability, risk- and outcome-based approach will be welcomed by all – these are the founding blocks of modern regulation and a modern regulator. I hope other countries follow the UK’s lead.

Sue Daley, Director of tech and innovation, techUK and co-chair of the NDS Forum said:

The data reform consultation is the start of an important conversation that must include a wide range of stakeholders to explore how we could make the UK's data protection framework work better for citizens and businesses.

The National Data Strategy Forum has a key role to play to make this happen as well as supporting the other activities announced today to deliver the missions of the National Data Strategy.

Dr James Field, Founder & CEO LabGenius, said:

At LabGenius, data is at the core of our mission to revolutionise the way drugs are discovered. By combining machine learning, synthetic biology and robotic automation, we are accelerating evolution to bring advanced therapeutics to patients faster.

Ensuring that there are routes for businesses and scientific researchers to utilise data will help drive innovation like ours, however, these new routes must be trusted and command the confidence of the public.

Baroness Joanna Shields OBE, CEO BenevolentAI and Co-Chair GPAI, said:

This set of ambitious announcements are welcome. Data is a foundational asset for modern societies; creating accessible and trusted routes for businesses, civil society and researchers to access data and utilise data will help drive innovation and create better digital services. But these new routes must command the confidence and trust of the public.

Centre for Data Ethics and Innovation (CDEI)

The government has also today announced that world-leading experts have been appointed to the Centre for Data Ethics and Innovation's (CDEI) refreshed advisory board. This includes Jack Clark (Co-founder of Anthropic and former Policy Director at OpenAI), Dr Rumman Chowdhury (Director of Machine Learning Ethics, Transparency and Accountability at Twitter), Jessica Lennard (Senior Director of Global Data and AI Initiatives at VISA), and James Plunkett (Executive Director of Advice & Advocacy at Citizens Advice).

Since its establishment in 2018, the CDEI has grown into a respected centre of expertise, which has produced internationally recognised research. Going forward, the CDEI will focus on enabling trustworthy use of data and AI in the real-world.

The CDEI's multidisciplinary team of specialists, supported by an advisory board of technical specialists and expert thought leaders, will work in partnership with organisations to deliver, test and refine trustworthy

approaches to data and AI governance, and address barriers to innovation.

It is already working on some of the most pressing issues in the field, from helping the Ministry of Defence to develop ethical principles for the use of AI across the defence portfolio to partnering with the Centre for Connected and Autonomous Vehicles to embed ethical due diligence in the future regulatory framework for self-driving vehicles. It is also helping the Department for Business, Energy and Industrial Strategy to develop the features of trustworthy Smart Data schemes, based on extending the experience of Open Banking to new sectors.

- Unlocking the power of data is one of the government's [10 tech priorities](#).
- Last year the government published its [National Data Strategy](#) to build a world-leading data economy that works for everyone.
- Today, one year on from its initial publication, the government has published [updates](#) on its progress to deliver the [National Data Strategy's](#) other priority missions and its approach to monitoring and evaluating the strategy going forward, including a call for views.
- In the strategy the government committed to championing the international flow of data, which fuels global business operations, supply chains and trade. It also plays a wider societal role, as the transfer of personal data ensures people's salaries are paid and helps them connect with loved ones from afar.
- A [consultation](#) asked the nation to help shape the core principles of the strategy and the UK's ambitions for the use of data, including plans for new data adequacy arrangements. Respondents expressed broad support for UK adequacy assessment plans and the government's international vision to position the UK as a global champion of safe and secure data flows.
- The CDEI's 2021/22 work programme will focus on three themes: maximising the public benefit of data by enabling it to be used and shared responsibly; building a strong AI assurance ecosystem in the UK; and supporting the delivery of transformative data and AI projects in the public sector, with a focus on the most high impact use-cases.

The Digital Secretary has appointed the following individuals to the [CDEI's](#) advisory board:

- Jack Clark, Co-founder at Anthropic, Co-chair of the AI Index at Stanford University, expert member of the Global Partnership on AI, non-resident Research Fellow at CSET, expert member of the OECD's ONE AI

Network

- Eddie Copeland, Director of the London Office of Technology and Innovation, member of the Smart London Board
- Dr Rumman Chowdhury, Director of Machine Learning Ethics, Transparency and Accountability at Twitter, Co-chair of the RSA's Citizen AI Jury
- Martin Hosken, Chief Technologist for Cloud Services at VMware
- Jessica Lennard, Senior Director of Global Data and AI Initiatives at VISA, techUK Board member, member of the Bank of England's AI Public-Private Forum
- Dr Marion Oswald, Vice Chancellor's Senior Fellow in Law at Northumbria University, Chair of the West Midlands Police and Crime Commissioner and West Midlands Police Data Ethics Committee
- James Plunkett, Executive Director of Advice & Advocacy at Citizens Advice
- Dr Mimi Zou, Co-founder and CEO of Deriskly, Associate Professor of the University of Reading School of Law

The Digital Secretary has reappointed the following individuals to the [CDEI's](#) advisory board:

- Baroness Kate Rock, Conservative Peer in the House of Lords, Senior Adviser at Instinctif Partners
- Richard Sargeant, Chief Commercial Officer at Faculty
- Dr Adrian Weller, Programme Director for AI at The Alan Turing Institute, Senior Research Fellow in Machine Learning at the University of Cambridge
- [Edwina Dunn](#), current Deputy Chair of the CDEI, has been appointed to the position of interim Chair, while the appointment process for a permanent Chair continues.
- The advisory board was appointed through a fair and open competition run by the DCMS. The appointment term for newly appointed members of the advisory board is two years, while the appointment term for reappointed members is one year. All terms begin on 13 September 2021.
- The CDEI is committed to ensuring that its advisory board and staff are as representative as possible, and will be working with DCMS to improve the future diversity of the advisory board. The CDEI's work programme engages a diverse range of institutions and people from across the UK.
- As part of the consultation on the [National Data Strategy](#) (launched in September 2020), DCMS sought views on the CDEI's future role. DCMS published the [response to the consultation on the National Data Strategy](#) in May 2021, which pointed to broad support for the Centre's proposed future functions.