WiFi SPARK Ltd

Response to the Department for Culture Media & Sport (GDPR)

Archiving and Research

The derogations related to archiving and research include articles:

Article 89 - Safeguards and derogations relating to processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes

Government would welcome your views on the derogations contained in the article above.
Please ensure that you refer to specific articles/derogations.

Response

It is the considered opinion of WiFi SPARK that the derogations surrounding Article 89 of the GDPR, namely processing and archiving of data for the purposes in the public interest, scientific or historical research purposes or statistical purposes, require a degree of clarification and we would look to persuade the Government to look at the broad nature in which this derogation has been allowed and adhere to the spirit in which it was written.

There have been movements within the statistical and research communities [EFAMRO(MRS in the UK), ESOMAR, ADM, etc.] for two decades with regard to establishing and upholding the view that commercial and public-interest research have mutual value and that Business Intelligence is an invaluable tool to business, delivering the right decision making support to the right people at the right time. Analytics is a significant support mechanism for decision makers and excludes decision automation. It exists solely to support higher-level decision making and strategy.

Data Control and Processing for Business Intelligence & Analytics, [Market] Research and Statistical purposes

INFORMS, the US society for operations research and management science, define analytics as: "the scientific process of transforming data into insight for making better decisions"

Part of our array of services include the facility of imparting a degree of business intelligence to our clients, via a Market Research questionnaire at the point of registration with our services. The analytics, under the framework of Business Intelligence reaches as far as taking the first 4 parts of a post code provided by an end user/data subject and comparing that to census data. This is also sometimes enriched by adding an age range to that information. With those two pseudonymous pieces of information we can show, against historic data what the demographic norms are for that individual.

The analytical business intelligence aspect to our offering aids the other elements of the Market Research we undertake on behalf of our customers. The other information taken include name and contact details in the event that our Customer wishes to contact them for any purpose. An example of what our customer could use this for, is that it could allow the business to make strategic decisions as to what their average customer may be - and then to reach out to their client base with a more specific voice to that average customer.

Market research (including opinion and social research) is the systematic search for insights concerning objective and subjective facts in business, by means of recognised scientific methods. As a form of applied scientific research, it supplies information to support business decisions.

The information supplied by the individuals taking part in a registration questionnaire with us is not interesting data for its reference to a concrete individual, its value is rather as a statistical exercise on the whole user-base and a generalisable scientific statement about a certain group of individuals. Because of this, the confidential treatment of the data collected by WiFi SPARK has been in line with the basic principles of professional conduct in market research.

It is the considered opinion of WiFi SPARK that the adoption of GDPR in the United Kingdom of Great Britain and Northern Ireland should lead to explicitly awarding market research and business intelligence the data control and processing privileges of scientific, research and statistical purposes in the national provisions taken pursuant to it. Namely, in relation to Article 89 (2), provided the appropriate safeguards are in place for the rights and freedoms of the data subject.

In the event of objection to processing, control and retention of data under GDPR, name and contact details would be removed from all live systems and the data subjects name and device unique identifier will be removed to a separate and secure database as a reference only to ensure that in the event of data or system roll-back, any instance of that user are not included in the revised version. This in itself is an unlikely occurrence, however it is essential to comply with the data subjects rights.

As scientific, advisory services, market research and business intelligence provide research-based information which is used by its national and international clients in the field of business, in order to support them in their decision-making. The information supplied by WiFi SPARK is to a large extent not available from other sources. Our platform and services are a market-leading avenue to determining the values of our customers' end-users in an unbiased way.

Imposing disproportionate legal restrictions on market research would infringe the right of research agencies to carry out scientific research. Imposing similar restrictions on analytics and business intelligence would be a devolving endeavour as this is only the digital version of important work that businesses have been providing for decades in a more analogue way. If restrictions were imposed, it would mean that the same work would have to take place in a manual, cost-intensive and inefficient way again. Costing businesses more in the way of time and money to gain the same insights to make their strategic decisions.