

Digital Economy Bill

Factsheet – Digital Government: Better Public Services

(clauses 29-39)

What are we going to do?

- Improve public services through better use of data whilst safeguarding citizens' privacy.
- Allow government to identify persons eligible for benefits or services to enable help to reach those in need.
- Ensure that support for people living in fuel poverty reaches the intended households.
- Ensure that information is only shared where there is a clear purpose that delivers a public benefit.

Minister for the Cabinet Office, Matthew Hancock said:

“Our goal is to transform and improve the relationship between the citizen and the state. Increasing citizens' confidence in the government's use of their data while simultaneously making better use of that data to deliver services they need will help us to build a more prosperous society.”

How are we going to do it?

- Create a robust, clear and transparent framework, with appropriate safeguards, including a Code of Practice for sharing information with specified public authorities for clearly defined purposes
- Enable specified public authorities to share information under specific conditions with energy suppliers that will identify customers who are living in fuel poverty, so they can receive automatic support.

Background

- Delivering the right public services at the right time is difficult. Government has a duty to provide information to citizens but that information and the associated services can be missed, especially by vulnerable people. Public authorities could change this by accessing information from other public authorities to allow better delivery of

services to qualifying persons if they were not prohibited by laws that sometimes hinder rather than help.

- The Bill will allow limited sharing of data to overcome these legal barriers between public authorities, where there is a clear need and benefit. Two examples of how this will help:
 - **Troubled Families Programme** - This programme aims to get children back into school, put adults in employment or on a path back to work and cut youth crime and anti-social behaviour. To identify families in need of help, public authorities need to see information held by other authorities.
 - **TV re-tuning assistance** - Ofcom is currently working to clear the 700Mhz band to be used for mobile broadband. Its main current use is to transmit digital TV, so citizens will have to re-tune TVs in 2018/19 and some may need new aerials. Identifying vulnerable persons who might need help requires access to existing information from public authorities.
- **Fuel Poverty.** The Bill also makes provision for sharing information with energy companies to apply energy bill rebates or to provide households with energy saving measures. With energy bill rebates, the best way to guarantee that this assistance reaches those who most need it is to provide it automatically, however automatic rebates can only happen if the state can inform energy companies which of their customers should receive it. The only information that energy companies will receive will be a simple yes/no flag with very clear safeguards put in place, including clear restrictions on use of the data or this one purpose only.
- **Civil Registration.** Most transactions to prove eligibility for public services still rely on individuals providing paper birth, marriage, civil partnership and death certificates as evidence. The Bill will allow for electronic verification, removing reliance on paper certificates, thus reducing the risk of fraud in relation to forged or altered certificates.

There are very few instances where bulk data can be shared between public authorities to improve service delivery. For example, sharing birth data to help parents access early years services. The Bill establishes a framework, with appropriate safeguards, to share bulk registration information where there is a clear and compelling need.

Safeguards first

- Before a minister could use the powers in the Bill to access information in another public authority they would have to:
 - Demonstrate that information is needed to improve a public *service* provided to citizens, or facilitate provision of a *benefit* to a citizen;
 - Demonstrate that the objective has as its purpose the improvement of the well-being of citizens.
 - Consult with the Information Commissioner, HMRC and others.
 - Seek the approval of Parliament.
- When sharing information, a public authority must:
 - Have regard to a Code of Practice, and failure to do so will lead to termination of the arrangement;
 - Not disclose any personal information, or be guilty of an offence - with a possible fine and up to two years in prison;
 - Comply with the Data Protection Act.

Key Questions and Answers

❖ **Would civil registration information be shared with private sector companies to be used for marketing purposes?**

There are no intentions to share data with the private sector or for data to be used for any commercial purposes and the powers would not permit this.

❖ **Does this mean you are looking to abolish paper birth certificates?**

There are no intentions to abolish paper certificates and existing methods for applying for paper certificates will remain in place.

❖ **What information are you proposing sharing around fuel poverty?**

Following the spending review, the government confirmed the extension of a supplier obligation and the Warm Home Discount, and an intention to focus these more strongly on fuel poor consumers. It is important that we support energy suppliers to identify consumers who are in the greatest need of support. The

new measures will support this as the state will share identified data on property characteristics to flag identified persons entitled to this important assistance (energy bill discounts, help to improve the energy efficiency of their home). Very clear safeguards would be put around this, including clear restrictions on its use.

❖ **Can Energy suppliers be trusted with this data?**

If suppliers are the delivery agents in future schemes, they won't be given any data other than a simple Yes/No answer to whether their customer is eligible for support. Suppliers will have to adhere to strict regulations and codes of practice. They will not be able to use any of the data they have for any purpose other than those that are outlined in legislation without incurring strict penalties.