

National Statistician's Data Ethics Advisory Committee Minute

Wednesday, 5th July 2023
via video conference

Present

Members

Helen Boaden (Chair)
Stephen Balchin
Rob Bumpstead
Colin Godbold
Monica Magadi
Emma Uprichard

Advisors

Jason Riches (Legal, UKSA) (also presented for item 3)
Simon Whitworth (Data Ethics, UKSA) (also presented for item 6)
Ross Young (Data Protection, UKSA) (also presented for item 3)

Secretariat

Pamela Calderon Ambrossen
Natasha Kong
Matt Short

In attendance

Dani Evans, Centre for Crime and Justice, ONS (for item 2)
Izzy Millward, Centre for Crime and Justice, ONS (for item 2)
Sophie Sanders, Centre for Crime and Justice, ONS (for item 2)
Ed Humpherson, Director General of Statistical Regulation, OSR (for item 4)
Pete Large, Population Statistics, ONS (for item 5)
Charles Baird, Data Growth and Operations, ONS (for item 6)

Apologies

Vanessa Cuthill
Isabel Nisbet

1. Minute and matters arising from the previous meeting

- 1.1 Vanessa Cuthill and Isabel Nisbet gave their apologies.
- 1.2 Members of the Committee had approved the minutes from the April meeting in the interim period via correspondence.
- 1.3 Matt Short updated the Committee with progress on actions from the January 2023 meeting. All actions were completed or in progress.

2. Asking sensitive crime questions online for children and adults NSDEC(23)15

- 2.1 Dani Evans and Izzy Millward from the ONS Centre for Crime and Justice presented this item.
- 2.2 The paper outlined the ethical considerations that the team had considered in their plans to move surveys relating to children and crime to an online format. NSDEC were asked to provide feedback and assurance on the team's plans for safeguarding the welfare of survey respondents during the online pilots. The paper detailed the potential risks associated with moving the surveys online and the team's approach to safeguarding protocols across three projects:
- i. Project 1: Piloting an online Young Person's Safety Survey (YPSS) of children aged 10 to 15 years, with a view to replacing the current Children's Crime Survey for England and Wales (CCSEW).
 - ii. Project 2: Piloting a new online Child Abuse Prevalence Survey (CAPS) for 16-to 25-year-olds.
 - iii. Project 3: Feasibility of moving the Crime Survey for England and Wales (CSEW) sensitive self-completion modules to online collection.
- 2.3 The NSDEC was assured by the proposed approach to safeguarding the welfare of survey respondents and appreciated the opportunities presented with moving these surveys online. These following points were raised by the NSDEC:
- i. Requested further detail on how the proposed approaches to safeguarding were consistent with the ONS Safeguarding policy.
 - ii. Requested more detail on the drivers behind collecting these survey data, such as (1) who are the users of the data, (2) potential projects that will utilise the data and (3) the decisions that will be derived from the survey data.
 - iii. Suggested that there may be a risk of disadvantaged groups who have limited access to the internet being underrepresented and how will this be addressed. NSDEC recommended that this should be explored further in the second pilot project.
 - iv. Advised that ONS conduct further engagement with appropriate stakeholder groups.
 - v. Commented that ONS should be transparent with survey respondents about all aspects of data protection.
 - vi. Requested further updates on the questions that will be asked in these surveys, and the results of the pilot projects.
- 2.4 **Action** – The ONS research team to provide NSDEC with the information requested above.

3. Lawful and ethical consent: a discussion

- 3.1 Ross Young (Head of Data Governance, Legislation and Policy and Data Protection Officer) and Jason Riches (Head of Legal Services) from the UKSA presented on how the UKSA/ONS mobilises consent from a legal perspective. This item was in response to a request by the NSDEC in the April 2023 meeting following several queries around consent on recent applications received from ONS.
- 3.2 The presentation covered different interpretations of consent, how consent is defined as a legal basis under the UK GDPR, the application of consent under the UK GDPR in the ONS context and the other legal basis the ONS and their analysts consider when conducting surveys and processing data.
- 3.3 The NSDEC appreciated the informative presentation and raised the following points in the discussion:
- i. Requested clarification on how transparent ONS is about the use of data collected by the ONS, especially with future use (or reuse) of that data for statistical and research purposes.
 - ii. Asked if the rights available to ONS survey respondents are made clear at the point of data collection.
- 3.4 **Action** – The ONS social survey division to present on the points above at a future NSDEC meeting.

4. Ethical assurance in regulated and official statistics in the Office for Statistical Regulation

- 4.1 Ed Humpherson, the Director General of Statistical Regulation at the Office for Statistical Regulation (OSR) presented this item.
- 4.2 This presentation presented an introduction on how the OSR regulates the UK statistical system and how the OSR consider ethics in their work. The presentation outlined that data ethics issues arise in the OSR's work in the following ways:
- i. OSR's standard assessments, compliance checks, and reviews;
 - ii. Casework interventions;
 - iii. Generally, statistics regulation is an ethical endeavour and manifests in the judgements the OSR makes.
- 4.3 Nevertheless, it was recognised that there may be scope to recognise data ethics compliance in OSR standard reviews once the Code of Practice for Statistics review is completed.
- 4.4 **Action** – The Secretariat to facilitate ongoing engagement between the OSR and the Centre for Applied Data Ethics.

5. Quality of Census 2021 gender identity data NSDEC(23)16

- 5.1 Pete Large, Joint Head of Quality Assurance of Census Data, from the ONS presented this item.
- 5.2 The paper outlined a proposal for additional research into potential respondent error in responses to the gender identity question within the 2021 Census. The research would link administrative data to census data to assess consistency of responses across sources. The particular focus is on the potential for respondent error from those who recorded themselves as being trans on the census but where there was thought to be a higher risk of respondent error. The research would inform published quality information on this topic.
- 5.3 The Committee acknowledged the importance of this work and raised the following comments:
- i. Advised that engagement with expert groups about how the research is conducted and how the outcomes will be communicated is needed to ensure the public can have confidence in the results of the research.
 - ii. Recommended that engagement should take place with the representatives from the population in the study.
 - iii. Requested to be updated about the outputs of the research when they are published.
- 5.4 **Action** – The 2021 Census Quality Assurance team to complete the actions above and report the outcomes to NSDEC.

6. International data ethics work NSDEC(23)17

- 6.1 Simon Whitworth, Head of Data Ethics and Research Accreditation, UKSA presented this item.
- 6.2 The presentation covered recent international work that the Centre of Applied Data Ethics (CADE) has undertaken.
- 6.3 The Committee welcomed the informative presentation and were supportive of the Centre of Applied Data Ethics' (CADE) international work. The following comments were raised in the discussion that followed:
- i. Appreciated that there are learning opportunities to be had from international engagement that can feed back into the NSDEC's work and welcomed opportunities to be involved with international collaborators in future NSDEC meetings.
- 6.4 **Action** – The Secretariat to invite international collaborators to future NSDEC meetings when the opportunity arises.

7. Research Data Management Framework: An Introduction

- 7.1 Charles Baird, Chief Data Architect and Deputy Director responsible for the Reference Data Management Framework (RDMF) from the ONS presented this item.
- 7.2 The presentation introduced the NSDEC to the RDMF and the work that the team is planning for ethical, privacy and security considerations within the RDMF. The RDMF is made up of five indexes which link and match data on addresses, classifications, location and businesses. The RDMF will allow the analysts using it to easily retrieve a wealth of connected common reference data through automatic indexing of new data to the framework.
- 7.3 With regards to security, ethics and privacy consideration within the RDMF, this will be supported by:
- i. The implementation of ONS's 5 Safes Framework,
 - ii. A dedicated linkage ethics and privacy team,
 - iii. Collaboration across government and civil society,
 - iv. Proactive engagement,
 - v. Oversight and enforcement of appropriate use
- 7.4 The Committee welcomed the presentation and raised the following comments:
- i. Requested clarification on the remit of the RDMF's dedicated linkage ethics and privacy team with the NSDEC and the UKSA/ONS corporate data ethics function. Stressed the importance that the UKSA/ONS's ethical principles must be aligned with this work and advised that the RDMF's linkage and ethics team start an ongoing engagement with NSDEC and these UKSA/ONS corporate functions (data protection, legal and data ethics) to ensure that there is consistency between all these areas.
- 7.5 Action –** The RDMF's dedicated linkage ethics and privacy team to clarify their remit to the NSDEC and to start an ongoing engagement with other UKSA/ONS corporate functions such as legal, data protection and data ethics functions to ensure consistency in all these areas.

8. Any Other Business

- 8.1 The NSDEC discussed the data ethics compliance review of "Shaping, testing and demonstrating the value of the Growing Up in England (GUIE) wave 1 dataset: Roma, Gypsy and Traveller children case study NSDEC(21)08". Conducted by researchers from the London School of Economics and Political Science (LSE) Centre for Analysis of Social Exclusion (CASE), the project aimed to shape, test and demonstrate the value of the GUIE Wave 1 to provide new quantitative evidence focussing on the educational experiences of Gypsy, Traveller, and Roma (GTR) young people and children as a case study.

- 8.2 This review confirmed that the research team had taken the advice of the Committee and implemented all the Committee's comments.
- 8.3 The Committee thanked the UKSA's Data Governance, Legislation and Policy team for these reviews and said they provided good assurance that the advice of the Committee was being followed.
- 8.4 The next NSDEC meeting will be held on 9 October 2023.