



Data: A new direction

DAMA UK submission to the UK government consultation, 2021-11-18

The Data Management Association (DAMA) is a global community of data management professionals organised around local chapters. DAMA UK is a local chapter formed in 2002. We represent around a thousand individual data management professionals, and are seeing a rapid growth in our corporate membership as businesses, non-profit organisations and public sector bodies come to understand data management as a core competency in the digital landscape.

Our members' experience and expertise span the range of data specialisms, from data strategy and governance, to deeply technical disciplines such as data architecture and data integration. We have diverse backgrounds in areas such as business, science, health and care, and civil society. What unites us is our understanding of data as a vital asset, and our commitment to the professional management of that asset, throughout its lifecycle, in order to maximise its value to our organisations, and minimise the costs and risks associated with it.

We stand with the government's ambition to support innovation with data in research, business, health and care, and public-good organisations - that is our professional *raison d'être*! However, our collective and expert insight into data use across these settings calls us to challenge the basic premise of this consultation: that data protection regulations are a primary barrier to innovation we strongly disagree with. They are not.

The real barriers to effective data use and data innovation are issues closer to home:

- Organisational cultures
- Leadership
- Systemic data literacy
- Overemphasis on technological solutions
- Too little data management, rather than too much

The substance of these proposals lies only in reducing regulatory obligations to data management. We acknowledge that data management is hard, but it is a necessity for effective data use, whether it is legally mandated or not. Downgrading data protection regulations simply invites data users to cut corners. This may put data subjects at risk, and it certainly will not improve the quality and suitability of the data for use and reuse.

For example, [Chapter 1: Reducing barriers to responsible innovation](#) emphasises the challenge to scientific research of managing and sharing data according to the conditions of its original capture. In fact, our members specialising in research data management explain that the

management of 'data provenance' (eg: its source, original purpose and purpose limitations, research design, sampling characteristics) is essential to scientific data usage, peer review, and data sharing. Responsible researchers will manage and use research data accordingly, for the sake of scientific integrity and professional ethics, regardless of their legal obligations to data protection. To downgrade those legal obligations only reduces barriers for less responsible, or less trained researchers: we don't believe that is the aim of the proposal.

Our members also have a keen sense of the importance of safeguarding data subjects' agency over their data: "It would be extremely unethical to think that because someone agreed initially to the use of their data, that they do not care what other research may be undertaken." In the case of voluntary, participatory research, we have to respect data subjects as contributors, not only for ethical reasons, but to underwrite the trusted position of UK research and ensure willing future participation. Again, responsible researchers will do this anyway, but the legal obligations inherited from the GDPR provide some backstop against less responsible actors. To remove that backstop only reduces barriers to the wrong kind of research.

Our collective, professional view is strongly against the proposal in [Chapter 2: Reducing burdens on businesses and delivering better outcomes for people](#) to remove the requirement for organisations to designate a Data Protection Officer (DPO). Many DAMA-UK members have seen at close quarters the very serious harms to organisations and individuals resulting from data breaches. In fact, data management professionals are often brought in, as new hires or consultants, in the wake of a data breach, when organisations realise, too late, the consequences of underinvestment in holistic data management. The DPO role provides a focus for a proactive culture of data protection, in which we act on the 'near-misses' to prevent the real accidents. "If there is no individual taking on that accountability, and appropriately managing the process, the controls and the risk, any issues that are raised have no place to call home."

It is our experience that the DPO role adds real value to mature data management programmes, as a key technical advisor to data governance bodies. In less 'data mature' organisations, it should be seen as a bare minimum requirement for the safeguarding of individual rights, and organisational good.

Where the DPO role provides a structural focus for data protection, the Data Protection Impact Assessment (DPIA) provides a procedural one. It is a central tenet of our profession that data management is lifecycle management. The DPIA enforces the essential good practice of setting out data governance responsibilities and data management activities from the moment those responsibilities begin: at the planning of any data development. Of course the legal obligation is simply to account for data protection, whereas "delivering better outcomes for people" will require a more complete view of data governance and data management (eg: alignment with business purpose, planning for data quality, and integration with existing data assets). Far from adding to the burden of working with data, the DPIA encourages behaviour that ensures optimisation of the value of the data development, and should fit seamlessly into the workflow of any business that takes data innovation seriously. It is a false economy to cut back on a relatively minor component of holistic data management, particularly when set against potential harms to business data assets, reputation, and to the individuals whose data it holds.

In summary, while we celebrate the ambition to encourage and support better use of data, for the good of UK society, science and our economy, we feel that the proposals made here do not answer the real questions. As data professionals, we see daily the barriers to innovation that our organisations have faced due to a lack of data management. The solution cannot be

to reduce the few established drivers for those organisations to think seriously about data management.

We encourage the government to rethink the existing data protection provisions, and the challenges they present to organisations and individuals in more constructive terms. Instead of treating them as obstacles to data use, they can be built into supportive frameworks that ensure the usefulness and useability of data just as they protect the rights of data subjects.

Moreover, it is essential that we see past the challenges raised by data protection obligations to their underlying cause: a lack of general data literacy, including a widespread and profound lack of awareness of good data management practice and its underpinning role in all data innovation.

Our profession is in increasing demand among more data mature industries and organisations: those who have seen earlier data initiatives falter and analysed the reasons why, and especially those who have the greatest capacity to invest in specialist teams. It would be a brilliant outcome of this review if we could see smaller businesses and legacy organisations supported to the same level of awareness without having to repeat those costly missteps.

Already, DAMA-UK members are involved with educating business leaders, and university students in data management principles and practice. We are ready to advise on how data management education might be propagated more widely, to support the UK towards data innovation we can all be confident in.

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