

Data Sharing Review

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Consultation paper on the use and sharing of personal information in the public and private sector

List of questions for response

We would welcome responses to the following questions set out in this consultation paper. Please follow the question order as set out in the consultation paper, leaving a blank response box for any questions not answered.

Please email your completed form to contact@datasharingreview.gsi.gov.uk

Alternatively you can send a hard copy response to:

Data Sharing Review Secretariat
5.26 Steel House
11 Tothill Street
London
SW1H 9LJ

Thank you.

Section 1: Background

Question 1. Bristol Wessex Billing Services Limited is a joint venture company that bills and collects charges for water and sewerage services on behalf of Wessex Water and Bristol Water (the Parent Companies). Liability for charges is confined to those persons who are 'occupiers' within the meaning of section 144 of the Water Industry Act 1991. All occupants are joint and severally liable.

For BWBSL the primary interest is the sharing of occupier information... Other information necessary for the effective and efficient performance of duties is

- Property status e.g. owner occupier, rented so that that most effective collection action can be taken if the customer moves into arrears
- Whether the occupier is in work and/or benefits and the type of benefit. For similar reasons to the first point and also to determine if customers are eligible for certain assistance schemes operated by the company.
- Personal information is only collected and held for the purpose of billing and collection.

Water Companies are required to provide services whether or not they know the occupier's details. The data collected by either BWBSL or either of the parent companies is shared to ensure that the customer receives the highest levels of service.

Comments: the meaning of occupier is not defined in the act but in essence is similar to that used in field rating. In the landlord and tenant situation it is normally the tenant who is responsible for charges.

Section 2: Scope of personal information sharing, including benefits, barriers and risks of data sharing and data protection

Question 2. The limited sharing of data between the two parent companies and BWBSL provides a better standard of service to the customer.

An example of this is where a customer contacts BWBSL to query a bill, the Customer Services Operator can see the history of the customer and may therefore be able to identify that a leak on the customers supply pipe has been repaired. This speeds up the granting of leak allowance, which leads to a lower bill.

Comments:

Question 3. If personal information is shared between organisations, there is an additional risk of accidental disclosure. Detailed processes and procedures are required to ensure adequate protection.

Comments:

Question 4. Sharing data between unconnected organisations provides the greatest threat to security. All transfers need to be carefully monitored and controlled to ensure that data is not lost or inadvertently sent to an unauthorised person or organisation.

Comments:

Question 5. No opinion

Comments:

Question 6. No opinion

Comments:

Question 7. Failure to bill and recover costs from occupiers places an additional and unfair burden on customers who do not pay their bills. Recent analysis has estimated this to be £11 per paying customer per year in an average bill of £300. Given the importance of knowing who is the occupier, the person who appears to a relevant undertaker to be the resident, owner or managing agent of a particular property should supply the undertaker with such information as they have. Similarly the undertaker should make available to relevant parties the information it holds on occupancy.

Experience shows that some occupiers refuse to provide such information and most owners and managing agents refuse to supply such information quoting 'Data Protection'.

Comments: The nature of occupancy is changing as is property ownership. Increasingly public housing is moving from local authority to housing associations and there is considerable growth in houses of multiple occupation plus short term leases associated with buy-to-let.

Question 8. No examples

Comments:

Section 3: The legal framework

Question 9. Limited experience of the way in which the Act is working, apart from the way in which some organisations respond to requests to share data..

Comments:

Question 10. Recent events suggest that neither public authorities or private organisations are particularly good at protecting personal data. We believe this is however a lack of consideration of actions rather than a deliberate attempt to subvert the Act.

Comments:

Question 11. No opinion

Comments:

Question 12. None identified

Comments:

Question 13. None identified

Comments:

Question 14. No opinion

Comments:

Question 15. None identified

Comments:

Section 4: Consent and transparency

Question 16. Yes it is clear

Comments:

Question 17. The parent companies and BWBSL do not divulge personal data to other organisations. We therefore do not find any barriers.

Comments:

Question 18. No opinion

Comments:

Question 19. No opinion

Comments:

Section 5: Technology

Question 20. The advances in technology have made data protection far more difficult. The advances in devices, such as memory sticks, CDs, etc and the almost ubiquitous use of emails provide ever greater opportunities for data to be accidentally disclosed, or deliberately removed..

Comments:

Question 21. Technical safeguards could be put in place by law, but the biggest risk would still be ensuring that people understand their duties and adhere to them.

Comments:

Question 22. No opinion

Comments:

Section 6: International comparisons

Question 23. No knowledge

Comments:

Question 24. No knowledge

Comments:

Question 25. No knowledge

Comments:

Question 26. No knowledge

Comments:

Section 7: Additional questions

Question 27. No opinion

Comments:

Question 28. No opinion

Comments:
