

Data Sharing Review

Richard Thomas and Dr Mark Walport

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.

Comments:

[Background to Sky](#)

1.1 Sky's main activities relate to television broadcasting in the UK and Ireland. Sky acquires programming to broadcast on its own channels and supplies certain of those channels to cable operators for them to retransmit to their subscribers in the UK and Ireland. Sky retails channels (both its own channels and third party channels) to direct to home ("DTH") subscribers and to a limited number of digital subscriber line ("DSL") subscribers. Sky also currently makes three of its channels (Sky News, Sky Sports News and Sky Three) available free to air via the digital terrestrial television ("DTT") platform, as part of the offering marketed as "Freeview".

1.2 Sky also has a number of other activities that are ancillary to its television broadcasting and retailing activities which include (but are not limited to) the provision of conditional access ("CA"), access control, electronic programme guide ("EPG") and customer management services to broadcasters and interactive services providers on the DTH platform, selling advertising time on Sky's wholly owned channels as well as on behalf of certain joint venture channels and third party channels, selling on-line advertising, operating interactive services on the DTH platform, providing fixed-odds betting services and offering its DTH residential subscribers telephony services under the brand "SkyTalk" and broadband

services under the brand “Sky Broadband”.

1.3 Further information in relation to Sky’s activities may be found on Sky’s website: www.sky.com.

1.4 We are pleased to be able to respond to this consultation as a private sector company with 8.8 million customers within the UK and ROI. We collect personal information from our customers to provide TV, broadband, telephony and related services to them. In providing these services we share data with companies acting as processors on our behalf as well as with our affinity partners. We feel the existing regime offers an appropriate balance between protecting consumer rights and the commercial interests of our business. That said, Guidance issued by the Commissioner is not always drafted with a commercial company in mind and we would urge the Commissioner to think of the wider audience when drafting such guidance. We also feel that the Information Commissioner has strong powers in enforcing compliance in areas where companies breach data protection legislation in the UK.

1.5 In terms of sharing personal information we are comfortable with the existing requirements under which we are required to contract with our processors. We do, however, have concerns that any changes to the data sharing regime could impact on our ability to work with those processors and ultimately affect our ability to provide our services to our customers in the most effective way. We would urge you to bear in mind that the public sector has very different aims to the private sector and greater restrictions in even just the public sector regime may not achieve any benefit in the private sector and could have a negative impact on consumers’ ability to receive information which is of most relevance to them. A further concern for us is the expense in complying with Subject Access Requests. Subject Access Requests present significant costs to the business and we would be concerned about the introduction of further costly red tape as a result of rare high profile data breaches.

1.6 We would welcome information about any proposals following this consultation and would ask that we be included in any stakeholder meetings or further consultations on this issue.

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

Question 2.

Comments:

Question 3.

Comments:

Question 4.

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Question 5.
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Question 6.
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Question 7.
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Question 8.
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Section 3: The legal framework

Question 9.
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Question 10.
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Question 11.
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Question 12.
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Question 13.
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Question 14.
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Question 15.
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Section 4: Consent and transparency

Question 16.
Comments:
Question 17.
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Question 18.
Comments:
Question 19.
Comments:

Section 5: Technology

Question 20.

Comments:

Question 21.

Comments:

Question 22.

Comments:

Section 6: International comparisons

Question 23.

Comments:

Question 24.

Comments:

Question 25.

Comments:

Question 26.

Comments:

Section 7: Additional questions

Question 27.

Comments:

Question 28.

Comments:
