

# Workshop Summary

## Workshop objective and agenda

The workshop took place online on the 21<sup>st</sup> of October, 2021 and was attended by participants from across the public sector, local and central government, the Commissioner's Office and civil society in Wales, as well as members of the Data Justice Lab. The objective of the workshop was to present preliminary findings from the research project, gather insights to inform the final project report and to consider possibilities for interventions and recommendations to advance data justice in relation to the WFGA. In particular, we asked participants to discuss three potential policy interventions by posing six questions that emerged from the research findings:

### 1) The Place of Technology in the WFGA

- How can we integrate digital technologies more effectively into the WFGA framework?
- What procurement guidelines might be needed for digital services that ensure social value and benefits for the whole community?

### 2) Equality, Diversity and Inclusion in Public Sector Technology

- How can we ensure diversity and inclusion are centred in determining what digital technologies are developed and how they are used?
- How can the Wellbeing Goal of A More Equal Wales go beyond a digital inclusion agenda?

### 3) Citizen Participation in Data

- How can citizens be more involved in decisions about how data is collected and used?
- How can the public sector make better use of stronger public engagement models like co-production?

## Discussion 1

In the first discussion several participants pointed out that both the public sector and digital technology are currently driven by financial efficiencies and economic incentives, and that more needs to be done to encourage greater emphasis on addressing concrete needs beyond efficiency to ensure better understanding and applications of digital transformations. It was also noted that policies such as 'digital by default' present challenges, and that the introduction of new digital technologies requires consultation with a wide range of stakeholders and a proper assessment about whether it is the right approach.

In terms of procurement, it was questioned whether digital services require specific guidelines, or whether procurement practices in general need improving. It was highlighted that digital public services in line with WFGA should place onus on suppliers to be ethical and prove their commitment to inclusion and diversity policies, but that there is also a need to empower public sector professionals to be able to negotiate this. Participants suggested that more resources and examples of good practice are needed, and that the forthcoming Procurement Centre of Excellence will encourage this. It was also suggested that the WFGA is a robust framework with which we can agitate for positive change, and one participant noted that the Act can be used to help the public sector understand what constitutes an ethical supplier. At the same time, however, others felt the WFGA needs more case studies to help the public sector interpret it better and that what we mean by Wellbeing could be clearer.

Further, it transpired that there could be clearer thinking that bridges current gaps between the WFGA, data sharing guidance and data protection legislation, especially in relation to how data is collected and used. It was highlighted that the WFGA does not currently explicitly speak to or legally permit data sharing arrangements and more specific guidance might be needed. Data protection impact assessments emerged as a useful tool in this context, but there was a concern that they perhaps don't address wellbeing goals and equality adequately. Here suggestions were made to use the integrated impact assessment more effectively to also account more explicitly for digital services. The WASPI Accord (Welsh Accord on Sharing Personal Information) was also brought up as relevant guidance.

## **Discussion 2**

In terms of Equality, Diversity and Inclusion, participants emphasized access to digital public services as a key starting point. It was stressed that services need to meet the needs of everyone, with some participants sharing concerns regarding the accessibility of digital services as well as data poverty, whereby disability, broadband quality and affordability of technology can exclude some communities from services and discussions relating to those services.

It was felt that the WFGA provides the right framing to make positive changes in this respect. In particular, user-centred service delivery and design was seen as a good approach that can include citizens and embed co-production values in the design of digital public services by actively seeking citizens' real experiences around accessing services, and feeding this back into the design process. However this was met with the question of how do we do this in practice and a suggestion that a clearer definition of user-centred design might be needed.

Others suggested the co-production of digital systems would be a good way to involve citizens in designing services that would create better value, though there are challenges around resources and public sector buy-in. Participants highlighted there are good practices happening in social care that we can learn from, but that we need more guidelines and requirements around consultation.

### **Discussion 3**

In terms of participation and engagement, workshop participants suggested more could be done to advance this; for example there were suggestions that not enough engagement is being done at the local level by councils, that there needs to be a strategic methodology for engaging citizens in their local communities, as well as more direction from Welsh government.

When it comes to participation in data, there was a range of priorities and issues at stake highlighted. Some participants felt the real challenge is to build public trust and highlight the public benefit of data collection. Others felt there is a lack of public awareness and understanding about data collection and use, and that local authorities could communicate better with the public about how this is happening. There was a suggestion that data collection is currently systems not person based, and this was seen as problematic. There was also a discussion about the level at which citizens and communities should be able to participate, ranging from public engagement with regards to consent of the collection of data to more participatory governance models that involve citizens in decisions about what data should be collected and for what purpose.

Participants articulated a range of good practices to bear in mind for engaging the public in relation to digital public services, such as financially compensating citizens for their time and consulting the public very early on in a process. Some felt there could be potential in citizen assemblies as these enable the public to make decisions on technical issues if adequate education materials and information resources are provided and communicated with participants. Here, experiments in citizen assemblies on climate change were highlighted as useful for lessons learnt that could inform similar experiments on issues of digital services, particularly data and AI. Others suggested that co-production is the most sustainable engagement option for the public sector that aligns best with the WFGA and caters for long-term thinking and planning.

It remained unclear, however, whether and how participatory data governance might be possible in practice. Questions remained as to who to consult and engage, how and at what level. For example some participants were unsure whether co-production was the right option for data and digital technology due to a sense that

there needs to be stronger public understanding before a data governance process or digital service can be co- created.