

Digital Economy Act Research Power

Lily O’Flynn, UK Statistics Authority

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Research for the Public Good

The UK Administrative Data Research Network:
Improving Access for Research and Policy

Report from the Administrative Data Taskforce
December 2012

“...primary legislation should be sought to provide a **generic legal gateway** for research and statistical purposes that **enables efficient access to, and linkage between, administrative data** held by different government departments, agencies and other statutory bodies.”



Digital Economy Act 2017

2017 CHAPTER 30

An Act to make provision about electronic communications infrastructure and services; to provide for restricting access to online pornography; to make provision about protection of intellectual property in connection with electronic communications; to make provision about data-sharing; to make provision in connection with section 68 of the Telecommunications Act 1984; to make provision about functions of OFCOM in relation to the BBC; to provide for determination by the BBC of age-related TV licence fee concessions; to make provision about the regulation of direct marketing; to make other provision about OFCOM and its functions; to make provision about internet filters; to make provision about preventing or restricting the use of communication devices in connection with drug dealing offences; to confer power to create an offence of breaching limits on ticket sales; to make provision about the payment of charges to the Information Commissioner; to make provision about payment systems and securities settlement systems; to make provision about qualifications in information technology; and for connected purposes. [27th April 2017]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

“a **permissive gateway** to enable public authorities to make information available to researchers for the **purpose of research in the public interest**”

“The Act identifies the **Authority** as the body **responsible for overseeing** this accreditation process”



Research Code of Practice and Accreditation Criteria

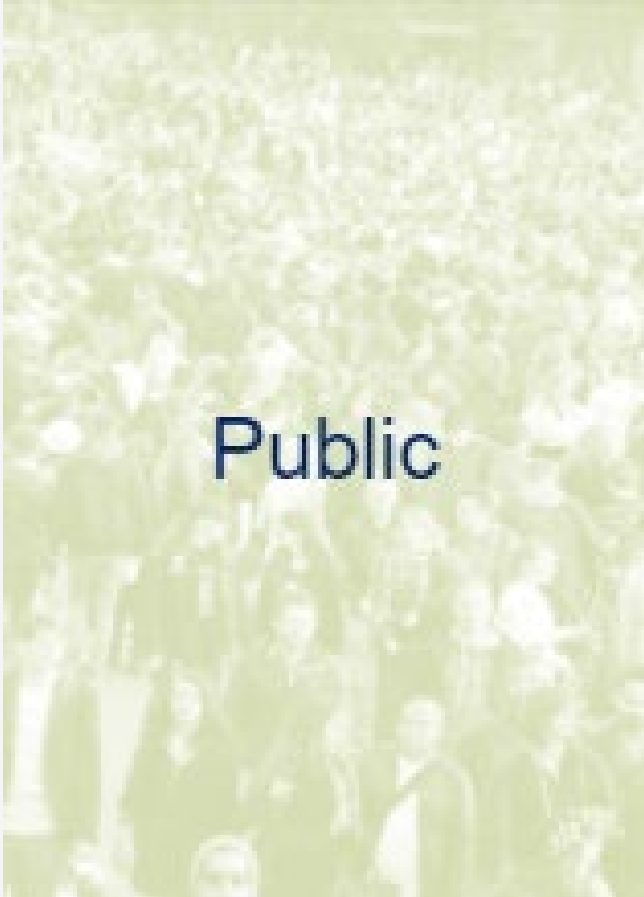
- Confidentiality
- Transparency
- Ethics and the law
- Public interest
- Proportionality
- Accreditation
- Retention and onward disclosure

33.1 The Act makes it a condition of the disclosure of data that the research for which the data is disclosed is in the public interest. For the purposes of accrediting research projects the Authority interprets public interest in the same way as 'public good', as set out in the Statistics and Registration Service Act 2007. To secure accreditation, the primary purpose of a research project must therefore be to serve the public interest in one or more of the following ways, to:

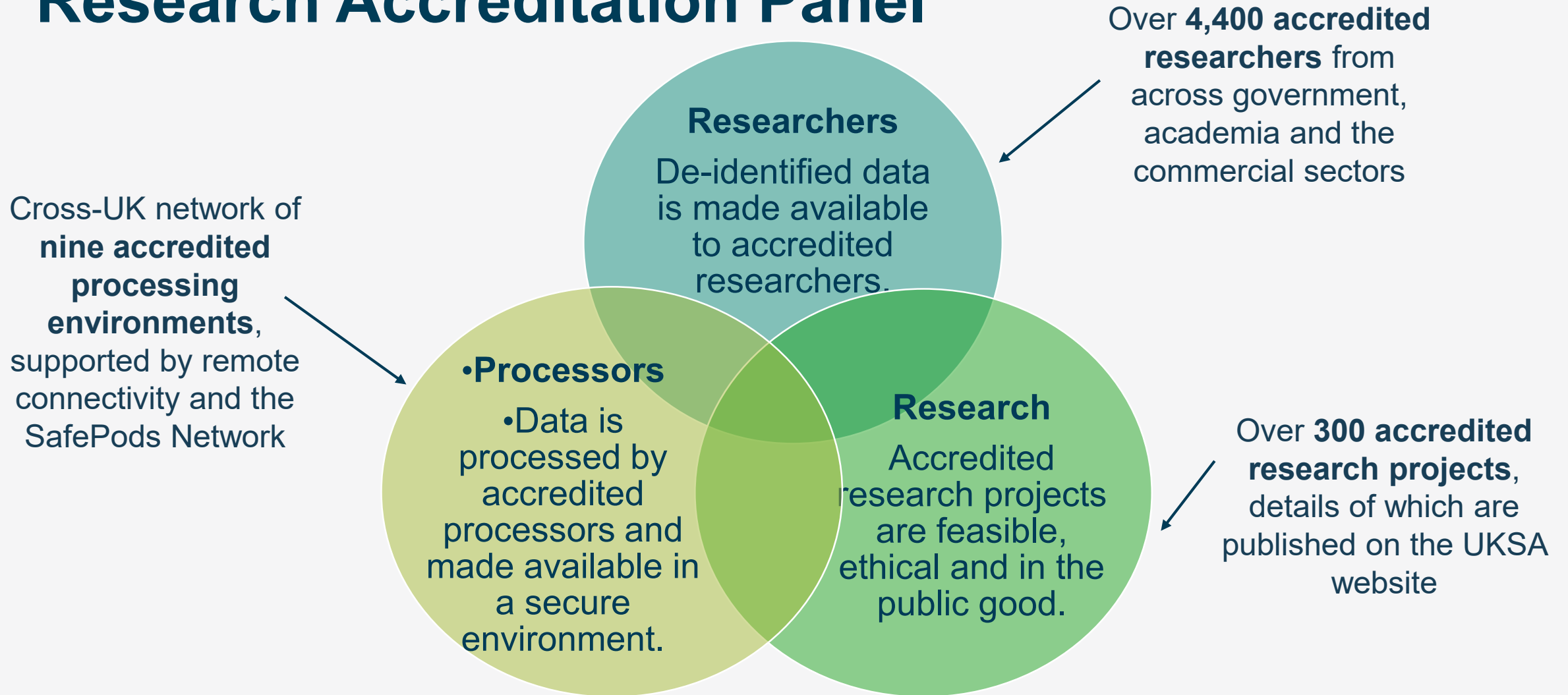
- provide an evidence base for public policy decision-making;
- provide an evidence base for public service delivery;
- provide an evidence base for decisions which are likely to significantly benefit the economy, society or quality of life of people in the UK, UK nationals or people born in the UK now living abroad;
- replicate, validate, challenge or review existing research and proposed research publications, including official statistics;
- significantly extend understanding of social or economic trends or events by improving knowledge or challenging widely accepted analyses; and/or
- improve the quality, coverage or presentation of existing research, including official or National Statistics. [\[footnote 11\]](#)

<https://www.gov.uk/government/publications/digital-economy-act-2017-part-5-codes-of-practice/research-code-of-practice-and-accreditation-criteria>

Benefits of the DEA Research Power



Research Accreditation Panel



Support from the UK Statistics Authority

Ensure you demonstrate how the research project serves the public interest as set out in the Research Code of Practice and Accreditation Criteria. Public interest should be articulated in a way that meets the required standard, as set out in this good practice example.

13 Public Good:

13.1 Please describe how your research project will provide a public good. Complete all the sections that apply.

Public Good	Describe how this research project will provide this public good
Provide an evidence base for public policy decision-making	Small business owners are an increasingly important part of the workforce, and often attract preferential tax treatment and are targeted by a range of other policies. These are often justified by the desire to promote economic growth and boost productivity, but can lead to costly tax avoidance and a misallocation of people and capital. This research project will provide vital evidence on how policy affects a range of business outcomes, and the potential impact of various policy reforms.
Provide an evidence base for public service delivery	
Provide an evidence base for decisions which are likely to significantly benefit the UK economy, society or quality of life of people in the UK	We will be able to quantify the costs and benefits of various existing policies and potential reforms. These have important implications for the government finances and the wider economy. Favourable tax treatment of small business can be costly – for example, <i>Entrepreneurs' Relief</i> (a reduced rate of capital gains tax applied to business assets) is estimated to cost the government in excess of £2.4 billion a year.
To replicate, validate or challenge Official Statistics	
To replicate, validate or challenge existing research	
To significantly extend understanding of social or economic trends or events by improving knowledge or challenging widely accepted analyses	Small business owners have accounted for 40% of growth in the workforce since 2008, so understanding how policy affects both this trend, and the economic impact of their growth is vitally important.

Ensure you consider the wider impact of your research outputs and explain how these outputs will inform policy and decision-making processes.

Provide as much detail as possible about how your analysis will provide a public good, including references to specific policies or decisions that you anticipate the research will provide an evidence base for.

Only complete the public good statements that apply to your research project.

Ethics Self-Assessment Tool

Public views

The wider environment in which researchers operate should always be considered. This does not mean that the public's views must be sought for every project, as this would be disproportionately time and resource consuming, but an overall awareness of public acceptability must be considered. Information from engagement events for similar projects, government initiatives, public polls and literature reviews are reasonable alternatives to large public consultations, focus and expert groups

A score of '1' would suggest the public are widely supportive of the project

Engagement events may result in the realisation that the public's views of the project and/or topic are negative. This must be scored appropriately, and mitigations considered.

Principle	Score	1	2	3	4	5	N/A	Score Justification
18 Public views		1	2	3	4	5		
19 Public engagement		1	2	3	4	5		

A score of '1' would mean that the research involves regular engagement with the public or stakeholders

A score of '5' means that No public engagement has been conducted, or planned, as part of the project

Omit this item when no public engagement is required and can be clearly justified (e.g. for the production of statistics as part of statutory responsibilities; or the same, or a very similar, research project has already completed public consultation or public acceptability testing)

Research Project Application Guidance

Contact and Support:

Accessing Data via the DEA: <https://uksa.statisticsauthority.gov.uk/digitaleconomyact-research-statistics/better-useofdata-for-research-information-for-researchers/>

Ethics Self-Assessment Tool: <https://uksa.statisticsauthority.gov.uk/the-authority-board/committees/national-statisticians-advisory-committees-and-panels/national-statisticians-data-ethics-advisory-committee/ethics-self-assessment-tool/>

DEA Accredited Projects: <https://uksa.statisticsauthority.gov.uk/digitaleconomyact-research-statistics/better-useofdata-for-research-information-for-researchers/list-of-accredited-researchers-and-research-projects-under-the-research-strand-of-the-digital-economy-act/>

DEA Accredited Processors: <https://uksa.statisticsauthority.gov.uk/digitaleconomyact-research-statistics/better-access-to-data-for-research-information-for-processors/list-of-digital-economy-act-accredited-processing-environments/>

Email: Research.Accreditation@Statitsics.gov.uk