

STRICTLY EMBARGOED

1 July 2024

Open letter sent to:
The Conservative Party
The Labour Party
Scottish National Party
Liberal Democrats

Leading business groups and industry leaders call for modern forward-looking approach to data

Ahead of the UK's general election on 4 July, we are writing as leading business associations, industry leaders and experts to call the next Government to seize the opportunity to modernise the UK's data protection framework.

A progressive and innovation-friendly regulatory environment that maintains strong privacy protection standards while delivering digital trust and legal certainty, will encourage economic growth, more innovative and effective public services, the easier use of data for research and public good, and greater flexibility in a more complex global environment for data transfers. This will in turn support the UK's ambition to achieve global leadership in trusted and responsible data-driven innovation and artificial intelligence.

This is why the plans to reform the UK's data regulation framework, developed over a period of three years, and in consultation with almost 3,000 stakeholders (including the undersigned organisations who contributed to the policy development through the Government's Business Advisory Group), have garnered wide support.

The next Government therefore has an opportunity to enact positive reform that strikes the right balance between encouraging innovation for economic and societal growth, while maintaining the high standards of personal data protection needed to build trust in the new digital age, so that the UK retains its adequacy determination with the European Union, which remains of utmost importance to businesses across all sectors.

Building on the momentum to reform the UK's data regulatory framework is an excellent opportunity to demonstrate the government's recognition of the importance of a regulatory environment that supports responsible innovation. This will give businesses the confidence to invest in the UK, positioning the country ahead of other jurisdictions.

Therefore, we urge any new Government to prioritise data reform in their digital strategy through the following policy changes:

- Reforms that clarify how data can be better used to support scientific research and technology development in both the public and private sectors, including enabling safe and secure AI training and development;
- Providing legal certainty around the use of legitimate interests as a lawful basis for processing data, particularly for strong public interest reasons such as combating crime and safeguarding children;
- Removing consent requirements for non-intrusive uses of cookies and other identifiers;
- Updating the law to enable the beneficial uptake of automated decision-making like AI, while maintaining strong safeguards, supported by ICO guidance;
- Create a more flexible international data transfers regime that will allow the UK to better manage data flows with other countries, which are critical for economic growth;
- Maintain the UK's leadership in promoting effective, risk-based regulation that incentivises accountability and responsible behaviour, to maximise data benefits while ensuring appropriate risk management;
- Support the modernisation of the ICO, to align its organisational structure with other UK regulators, ensuring it maintains high levels of data protection in a balanced and proportionate way that supports responsible innovation and sustainable economic growth;
- Enable legislation for Smart Data Schemes to be introduced in appropriate sectors, such as finance, transport, energy, and home buying, giving British consumers access to more products and services.

The general election presents an opportunity for all the UK's political parties to recommit to modern data policies and ensure that as we seek to grow the economy and reform public services, the UK can fully leverage the power of data-driven and digital technologies.

We look forward to hearing from you and supporting the next government in its progressive data strategy and policy.

Yours sincerely,

Julian David, CEO (techUK)

Chris Combemale, CEO (Data & Marketing Association) and Chair (Business Advisory Group)

Stephen Woodford, CEO (Advertising Association)

Bojana Bellamy, President (Centre for Information Policy Leadership)

Note: All signatory organisations participated in the Government's Business Advisory Group. The Business Advisory Group brought together senior representatives from business groups and industry leaders to advise the government on reform of the UK's data protection and privacy regime. The Business Advisory Group was active from November 2022 until the dissolution of Parliament in May 2024.