

INSIGHTS INTO THE PUBLIC'S ACCEPTANCE OF GOVERNMENT USE OF DATA

Presentation to Joint Councils

October 26, 2021

**CITOYENS
en tête**

OPTIMISÉ PAR



L'Institut des
services axés sur
les citoyens

**Citizen
FIRST**

POWERED BY



Institute for
Citizen-Centred
Service

DAVIS PIER

Context for Today's Presentation

The Data Driven Intelligence Working Group was asked to conduct research to better understand citizens' acceptance of the Government's use of their data (personal information)



- Many citizens are providing information without knowing who, how, or where it will be used
 - Especially true of marginalized and vulnerable populations
- Government cannot design more effective, user-centric services without knowing a citizen's level of acceptance of the government's use of their data
- Focus of this report may be on use of data for digital channels, but must always make services available to those with no online or digital access
- The focus of the report is on **citizens'** levels of acceptance of data sharing to enable the development of more and better services across governments in Canada

Insights to provide foundational material for a future project to investigate and outline options to address legislative, policy and data sharing barriers to integrated and seamless service delivery

Agenda



Approach

Geographic Insights Scan

- Consulted with Canadian and international jurisdictions regarding their approaches to understanding and addressing public acceptance of the sharing and use of data and personal information
- Included direct consultations with 5 provincial *Information & Privacy Commissioners*, 12 *Information, Access and Privacy* offices, 2 municipalities, 2 offices of the *Chief Digital Officer* (CDO) for government, and surveys of 5 CDO offices

Literature Review

- Reviewed academic and grey literature research on public acceptance and trust of government's use of data for the provision of government services
- Sources included a range of electronic libraries including *Science Direct*, *Springer Link*, *SAGE Journals*, *ScienceOpen*, *Social Science Research Network*, and *Journal Storage*, as well as *Google Scholar*

Overview of Key Legislation

- Conducted legislative scan of Federal, Provincial, Territorial and Municipal legislation in Canada, and legislative scan of other jurisdictional approaches (specifically: USA, UK, Estonia & Australia)
- Review of key Canadian and International legislation governing privacy of information, and planned changes to facilitate better data sharing

Key Insights | Geographic Insights Scan

Consultations and research conducted online identified the following insights:

Government awareness of public acceptance



Issues of greatest public concern



Change in public level of acceptance



Geographical trends



Barriers to data sharing



Having a safe, secure, digital identity will drive online services

Key Insights | Geographic Insights Scan

Consultations and research conducted online identified the following insights:



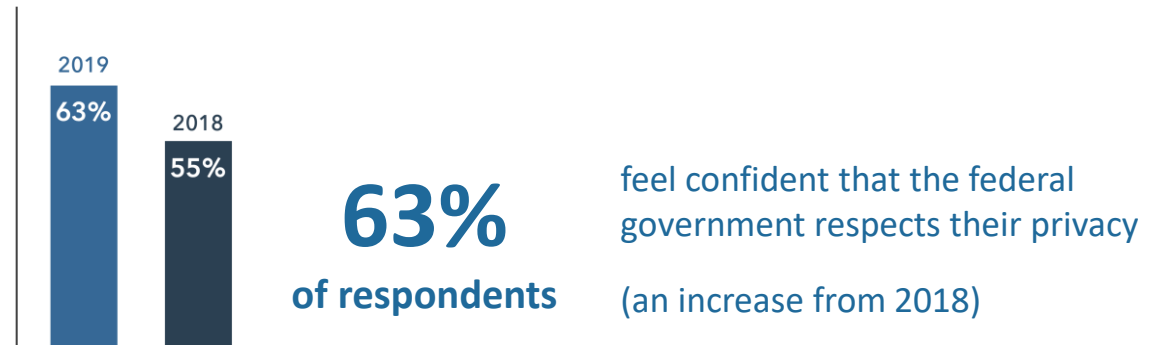
Government awareness of public acceptance

- Most jurisdictions don't formally monitor perceptions of data use
Despite this, most jurisdictions do collect information about public perceptions from a range of different sources
- Consultations with public are usually driven by specific projects or initiatives

SAMPLE FROM REPORT:

British Columbia has conducted periodic public engagement in recent years regarding government use of personal information:

- **Summer 2021:** Invited British Columbians to provide input on provincial public sector privacy laws around data residency, fees and other issues
- **Summer 2021:** Held targeted engagement of stakeholders and rightsholders regarding government collection of race-based data
- **Fall 2019:** Hosted citizen roundtable around government use of personal health information (facilitated by PopData BC)
- **2018:** Invited British Columbians to provide input to help shape government's next steps regarding the Freedom of Information and Protection of Privacy Act (FOIPPA)



Source: Office of the Privacy Commissioner of Canada, 2020-2021 Survey of Canadians on Privacy-Related Issues

Key Insights | Geographic Insights Scan

Consultations and research conducted online identified the following insights:

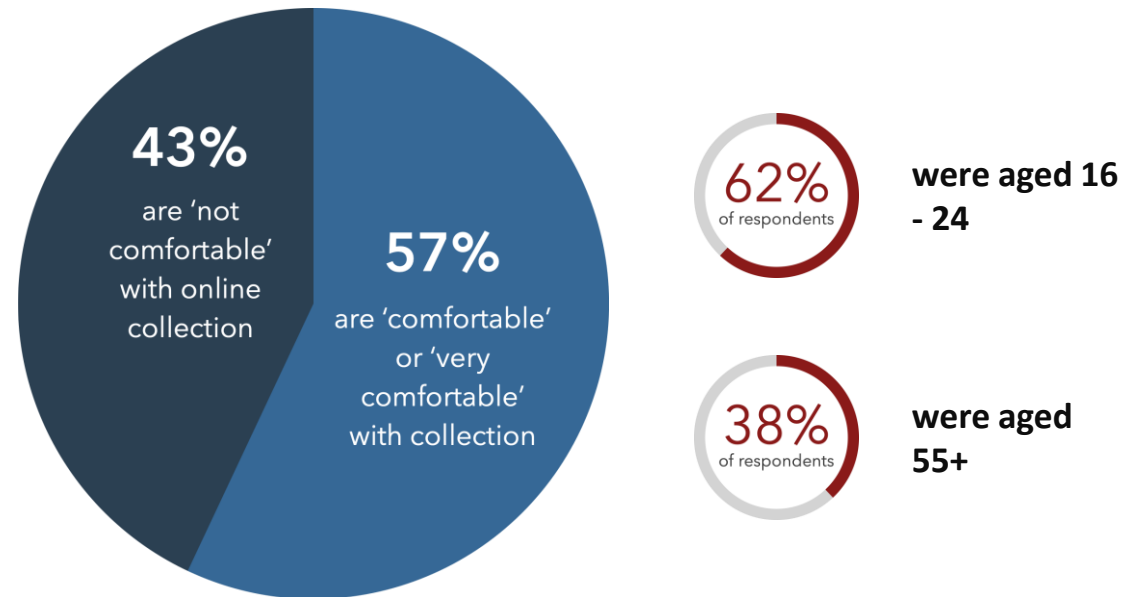


Issues of greatest concern

- The perception that government uses public information for undisclosed secondary purposes
- Frustration over having to provide the same information multiple times
- Also of concern: Management of data, trust and accountability, facial recognition technology and the COVID-19 pandemic

SAMPLE FROM REPORT:

Canadians' comfort level with the online collection of information



Source: Office of the Privacy Commissioner of Canada, 2020-2021 Survey of Canadians on Privacy-Related Issues

Key Insights | Geographic Insights Scan

Consultations and research conducted online identified the following insights:

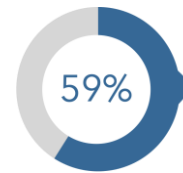


Change in public level of acceptance

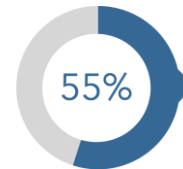
- The COVID-19 pandemic has impacted perceptions, ranging from increased acceptance of government use of data to a decline in trust and confidence in government (overall)

SAMPLE FROM REPORT:

Protecting Personal Information Now vs Pre-COVID-19



of Atlantic
Canada



of Ontario

...are likely to be **more concerned** about the protection of personal information now than they were prior to the COVID-19 pandemic



...stated that their views on privacy and the protection of personal information have **not changed** since the start of the pandemic

Source: Office of the Privacy Commissioner of Canada, 2020-2021 Survey of Canadians on Privacy-Related Issues

Key Insights | Geographic Insights Scan

Consultations and research conducted online identified the following insights:



Geographical trends

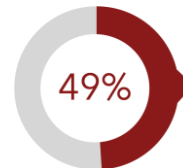
- IPC and IAP offices had concerns that varied, across the country (e.g. Artificial Intelligence, private company data usage, surveillance)
- Public interest in privacy has increased across the country in recent years (bolstered by COVID-19 responses)

SAMPLE FROM REPORT:

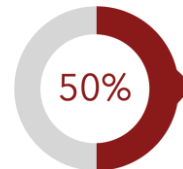
Ontario

- Indigenous data sovereignty has been a consistently raised concern with regard to use of public information - or even aggregated data - to support service delivery
- Populations who have been historically excluded or negatively targeted had concerns about the effects of automated decision making
- In Ontario, a Data Authority that follows the First Nations Information Governance Centre guidelines is being created to oversee data collection and use
- It will help ensure that data-driven technologies benefit Indigenous populations

Awareness of Providing Personal Information



of Quebec



of the Prairies

...are likely to be more aware of when they are asked to provide personal information

Source: Office of the Privacy Commissioner of Canada, 2020-2021 Survey of Canadians on Privacy-Related Issues

Key Insights | Vaccine Passports

Canadians Perceptions About Vaccine Passports



74%

supported the use of vaccine passports to visit a senior's facility

72%

supported needing them for flying on an airplane

66%

supported needing them for activities like attending concerts

Contact tracing and vaccine passports provided incredible tools to assist public health efforts to track, trace and minimise the spread of the COVID-19.

Yet these resources relied on the collection and sharing of government data. As such, the public's response and levels of acceptance provide valuable insights into when and why the public are comfortable with data sharing.

Source: Simpson, S. (2021). *Majority of Canadians Support Vaccine Passports for Variety of Indoor and Outdoor Activities*, Toronto: Ipsos Public Affairs

Key Insights | Geographic Insights Scan

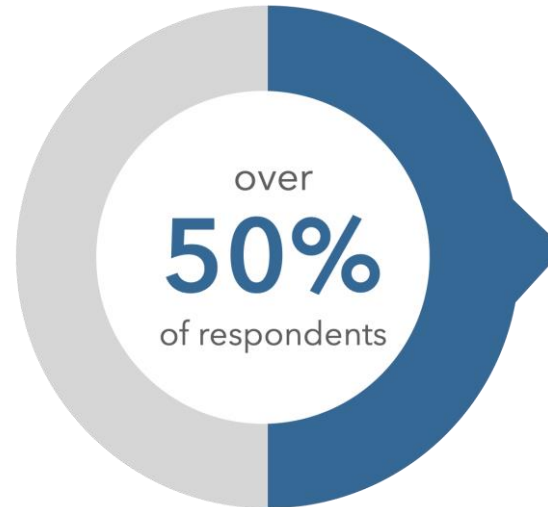
Consultations and research conducted online identified the following insights:



Barriers to data sharing

- Difficulties with establishing data sharing initiatives in government (Provincial, Territorial and municipal)
- Political will is critical to the success of open data initiatives
- Governments disagree on how to regulate private companies' data practices – consensus and a framework are required

SAMPLE FROM REPORT:



were **not aware** of any provincial government departments or organizations that are formally monitoring public general acceptance of government's use of data

Source: Project stakeholder consultations

Key Insights | Geographic Insights Scan

Consultations and research conducted online identified the following insights:

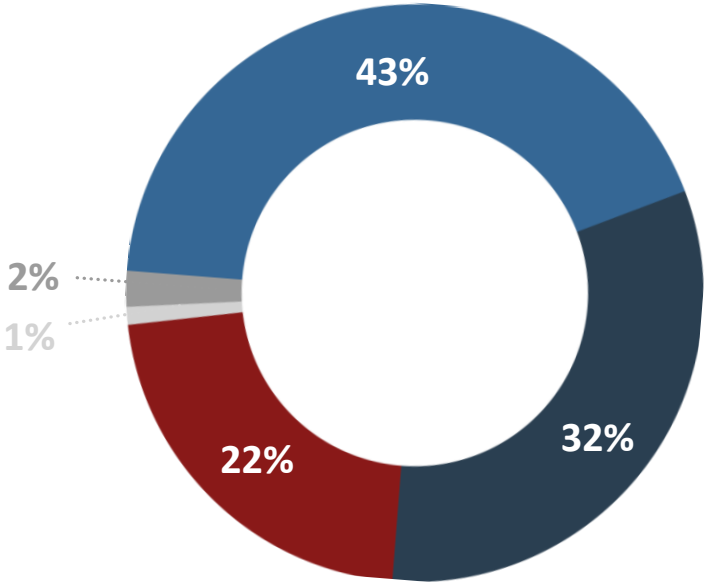


Having a safe, secure, digital identity will drive online services

- Treasury Board Secretariat has been working with P/T governments to develop Pan-Canadian Trust Framework, and understand risks of implementing items such as automated decision systems
- ON, QE, BC (soon SK) allow CDN banks to act as identity verifiers
- 3M Australians & half of Australian businesses are using digital identity
- Digital Transformation Office is helping to leverage digital identity into service delivery
- UK has released a Digital Identity and Attributes Trust Framework to help foster digital identity-based services

SAMPLE FROM REPORT:

Three-quarters of Canadians believe COVID-19 has made having a digital ID more important (only a small minority felt it was less important)



- Much more important
- Somewhat more important
- Not more or less important
- Somewhat less important
- Much less important

75%
Said it was **much or somewhat more** important

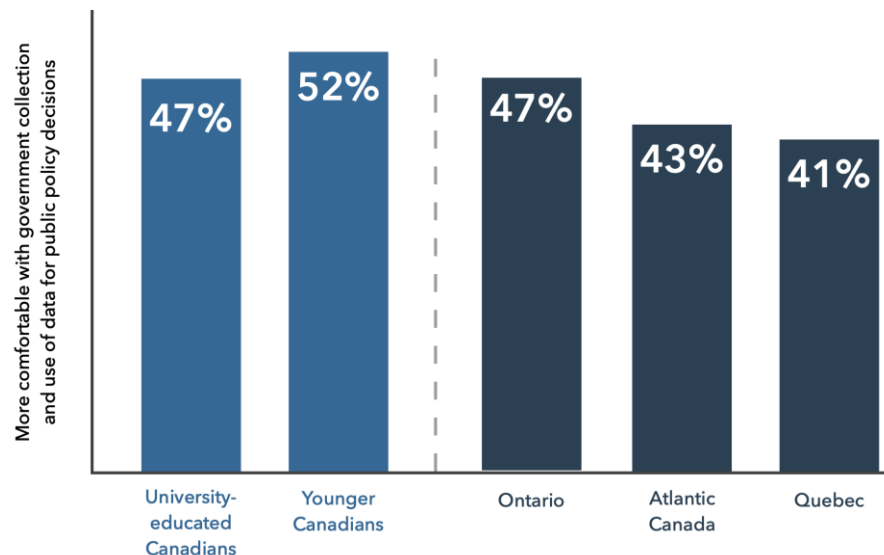
Source: DIACC Canadian Digital Identity Research 2020

Key Insights | Literature Review

Consultations and research conducted online identified the following insights:

- Public trust in Canadian government data use varies substantially according to purpose or benefit of data sharing:
 - Higher levels of acceptance when identifying fraud and making policy decisions
 - Lower levels when using data for intelligence gathering
- Qualitative studies in ON & BC identified concerns over detrimental outcomes, or misuse of data, particularly for vulnerable members of the community, including LGBTQ and indigenous populations

“I am comfortable with government collection and use of data for public policy decisions”



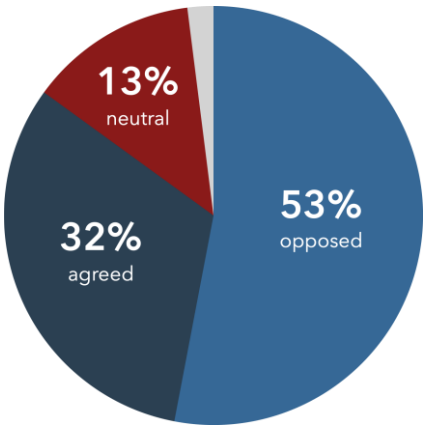
The Office of the Privacy Commissioner of Canada’s 2020-2021 Survey of Canadians on Privacy-Related Issues found that:

- University-educated and younger Canadians were more comfortable with government collection and use of data for public policy decisions
- These views were also more prominent among those from Ontario, Atlantic Canada and Quebec

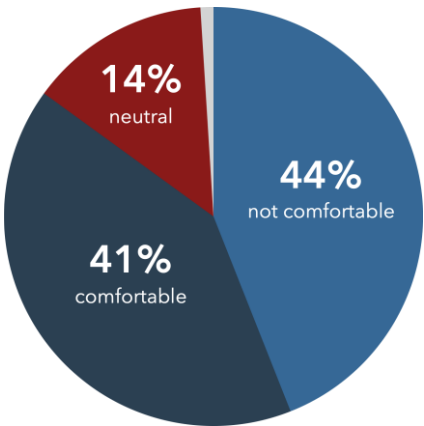
Key Insights | Literature Review (continued)



Should the government collect and use citizens' personal information for intelligence-gathering purposes?



How comfortable are you with government collecting personal information from financial institutions for making economic decisions?



Source: Office of the Privacy Commissioner of Canada, 2020-2021 Survey of Canadians on Privacy-Related Issues

Key Insights | Literature Review (continued)

Consultations and research conducted online identified the following insights:

● Canada vs. World:

- Canadians are less inclined to support sharing of data by government than the UK

(Source: Savic-Kallescove, S., Middleton, A., & Milne, R. (2021). Public Trust and Genomic Medicine in Canada and the UK. Wellcome Open Research, 6, 124.)

- Canadians have lower trust in government use and sharing of data than Australia and the USA

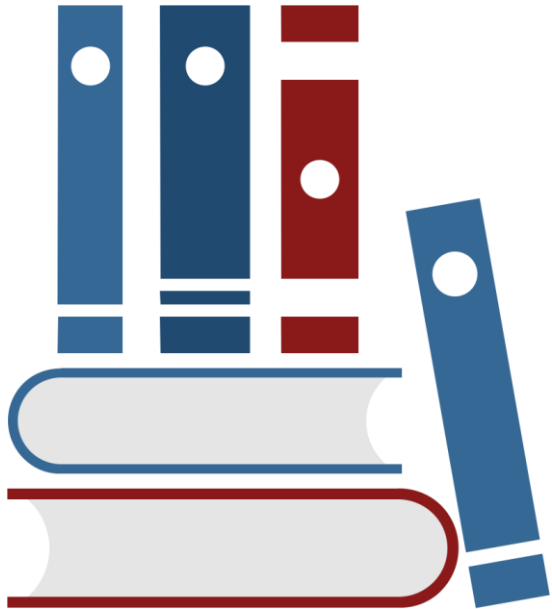
(Source: Milne, R., Morley, K. I., Howard, H., Niemiec, E., Nicol, D., Chritchley, C., . . . Middleton, A. (2019). Trust in genomic data sharing among members of the general public in the UK, USA, Canada and Australia. Human Genetics, 138, 1237-1246.)

● *Privacy Calculus Theory* - in practice: Individuals approve of the sharing of personal information if they expect the positive benefits will outweigh the negative outcomes (i.e., contact tracing for COVID-19)

● Significant research gaps exist across geographic regions and demographic groups in Canada preventing a comprehensive understanding of public acceptance of data sharing in Canada



Key Insights | Overview of Key Legislation



- **Emergent Themes:**
 - Public is aware of legislation governing privacy and the use of their information
 - In general, the Canadian government respects privacy rights, but there are concerns over the erosion of consent in government's use of data
 - Great concerns regarding the use of AI and Facial Recognition
- YK, MB, NL, NWT, have or are undertaking legislative reforms to:
 - drive innovation by opening up the silos of data between departments
 - facilitate sharing of data for providing better services
 - prevent citizens from having to share their information multiple times
 - allow data (instead of political motivation) to drive policy decisions
- **BC's Declaration Act** aligns with the UN Declaration of the rights of Indigenous peoples and is the Province's framework for reconciliation (called for by the Truth Reconciliation Commission's Calls to Action)
- Increase in private-sector privacy legislation (i.e., BC, AB, and QC)
- Political will, mandatory review of legislation, and an active IPC office helped some jurisdictions to achieve changes to their public sector legislation
- Many international jurisdictions are making changes to their privacy legislation

Recommendations

Recommendations have been categorized into 3 themes:



**Understanding levels
of public trust**



**Strengthening the
relationship between
government and the public**



**Improving internal
government
operations**

A

Engage with citizens across Canada to better understand their levels of acceptance of government data use.

C

Support government to take specific actions to promote transparency to build or regain trust.

F

Encourage governments to establish centralized Data Authorities.

B

Encourage governments to establish formal and ongoing monitoring of Canadians' levels of public acceptance of data use and sharing (with a focus on identifying differences in levels of acceptance across different geographic regions and demographic groups).

D

Encourage governments to allow citizens to opt into a "tell us once" approach, where data may be shared with other government departments for a set of agreed uses.

G

Educate public servants on what information they can and cannot share (secondary usage) and the requirements for consent, according to privacy legislation in their jurisdiction.

E

Advocate for the prioritization of Indigenous Data Sovereignty by government organizations.

H

Encourage and support F/P/T/M legislative reform to enable the secondary uses of data not currently allowed.

Recommendations - Summary



#	Recommendation	Complexity	Effort
Theme 1: Understanding levels of public trust			
A	Engage with the public across Canada to better understand their levels of acceptance of government data use		
B	Encourage governments to establish formal monitoring of Canadians' levels of public acceptance of data use and sharing		
Theme 2: Strengthening the relationship between government and the public			
C	Support government to promote transparency to build / regain trust		
D	Encourage governments to allow citizens to opt into a "tell us once" approach, where data may be shared with other government departments for a set of agreed uses		
E	Advocate for the prioritization of Indigenous Data Sovereignty by government organizations		
Theme 3: Improving internal government operations			
F	Encourage governments to establish centralized Data Authorities		
G	Educate public servants on what information they can and cannot share (secondary usage) and the requirements for consent, according to privacy legislation in their jurisdiction		
H	Encourage and support F/P/T/M legislative reform to enable the secondary uses of data not currently allowed		



Questions

DAVIS PIER