Annex E: Consultation Questions

The consultation sets out a number of proposed amendments. Views are invited on the following:

1) Where data relating to a citizen is held it should be accurate.
   Do you agree that the approach suggested at paragraphs 9-11 is an effective approach to achieving this?
   
   Yes ☐ No ☒

   If No, please describe the approach you feel should be taken.
   
   The NHSCR is currently one of the most comprehensive and accurate registers of the population because there is little incentive for anyone to falsify the information that it contains about them. By extending the role of the register and sharing its data with so many other organisations, many people will have an incentive to allow inaccurate, incomplete or misleading data to accumulate. Consider, for example, how many people disappeared from the Electoral Register to avoid the Poll Tax. By opening up the NHSCR to HMRC and Revenue Scotland, the public health benefits of a comprehensive NHS register are put at risk.

2) We propose to extend the current ability to trace persons a) who go missing whilst in education and b) who should pay for treatment provided by the NHS.
   Do you agree with these proposal set out in paragraphs 12-13?
   
   Yes ☐ No ☒

   If No please explain why not?
   
   Local authorities can already make use of the NHSCR for tracing children who go missing in education. It is not clear that widening access would have much benefit compared to the risk of sharing personal data too widely. Sharing information from the NHS register with UKVI would be dangerous from a public health perspective. There are people among us who, for whatever reason, and whatever the rights and wrongs of their situation, wish to avoid coming to the attention of UKVI. If these people contract communicable diseases but are scared to seek health treatment, public health would be put at risk unnecessarily. It is inappropriate for UKVI to play any part in the treatment of medical conditions. It should also be noted that there is little evidence that “health tourism” is a major cost to the NHS or public purse; certainly no evidence of a major problem in this regard is presented in the consultation document.

3) In order to allow citizens to make use myaccount for a wider group of services (beyond health and local government), as set out in paragraphs 14-16, we propose to provide access to the bodies named in draft Schedule 3 (Annex B).
   Are there any additional service providers who you feel should be included?
   
   The list of bodies named in draft Schedule 3 (Annex B) is ridiculously wide. These proposals undermine basic data protection principles and the guidance issued in the Scottish Government’s Identity Management and Privacy Principles.
4) Do you consider that the proposals set out in paragraph 18 are an effective method to identify Scottish Tax payers?
Yes ☐ No ☒

If No please describe the approach you feel should be taken.

For the vast majority of taxpayers who pay tax through PAYE, it would be sufficient to require employers to determine their employees country of residence. For those who return self-assessments of taxation, it would be a simple matter to require country of residence to be included as part of the tax return, with appropriate penalties for providing false information.

It is noted that this consultation document does not offer a space for respondents to submit additional comments. This is not good practice.

The Scottish Government's Identity Management and Privacy Principles make clear that public bodies should avoid sharing persistent unique identifiers that would allow people's personal data to be accessed. These proposals make a complete mockery of those proposals and any pretence to care about data protection or privacy principles.

These proposals will be widely seen to echo the ill-fated National Identity Register that was opposed repeatedly by the Scottish Parliament. These proposals should be withdrawn and abandoned in their entirety. They are ill-considered and inappropriate.