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.

Comments

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?

Comments

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?

Comments

4) Do you consider that the proposals set out in paragraph 18 are an effective method to identify Scottish Tax payers?

Yes ☐ No ☐ X

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

The Scottish Labour Party agrees with the concerns raised by privacy campaigners and Scotland’s doctors. We believe that the use of NHS records for this purpose risks breaking down trust between patients and Scotland’s NHS. We believe alternative measures for identifying Scottish taxpayers should be examined and consulted on.

- Rachel Robinson, policy officer for Liberty, said: “The sharing of people’s personal data must always be justified – allowing information to flow between health and tax agencies sets a dangerous precedent.”
- Emma Carr, director of Big Brother Watch, said: “The public will be shocked the Scottish Government feels it has the right to share such sensitive data based on discussions behind closed doors.”
- Dr Peter Bennie, the Chair of BMA Scotland, said: “Sharing confidential health...
information with the government for the identification of income tax payers would seriously undermine...trust with the result that patients may feel reluctant to seek medical help from their doctor.”

We are also concerned that there does not appear to be a privacy or human rights impact assessment attached to the consultation. The Open Rights Group have raised concerns that this may lead to legal action being taken.

The consultation makes no alternative proposals. We believe that alternative proposals should be sought and consulted on, and a full human rights and privacy assessment of the proposals should be produced.