

NOT-EQUAL

EPSRC NetworkPlus: Social Justice through the Digital Economy Project Final Review Form

Please submit this form within one month of completing your project to notequal@ncl.ac.uk.

GENERAL INFORMATION	
Lead Applicant (PI): Lina Dencik Email address: DencikL@cardiff.ac.uk Job Title: Professor Department: School of Journalism, Media and Culture Organisation: Cardiff University	Co-Investigators (names and organisations): N/A Supporting Partner(s): Wales Future Generations Commissioner Project Title: Advancing Data Justice in the Future Generations (Wales) Act Project Reference Number: NE2.040

1. SUMMARY

Please outline the research challenge and question your project aimed to address, in less than 100 words.

The Future Generations Act (FGA) was implemented in 2015 with the aim to advance social, cultural, environmental and economic well-being through the public sector. As part of this, there is a commitment to embrace and invest in 'the technologies of the future' as a way to provide social benefits and mitigate problems. This project explores the possibilities for advancing data justice in the context of the FGA, focusing on three strategic areas: 1) Models of public engagement (e.g citizen juries, task forces); 2) Public procurement processes (e.g. impact assessments, expert consultations); 3) Data governance frameworks (e.g. data trusts, public ownership).

2. APPROACH

Please provide a summary of the approach of your research project, including any deviations from your work plan, the reasons for this and how you addressed any issues.

The project focuses on three strategic areas at the intersection of the FGA and data justice: 1) Public engagement, 2) Procurement, and 3) Data Governance. For each of these areas, the aim was to explore the opportunities and challenges of applying different models of civic participation and data governance to technology developments relating to the FGA.

To investigate this, there were three phases of research:



1. Desk research
2. Interviews
3. Analysis and workshop

Desk research

This encompassed a scoping exercise to identify possible strategic areas at the intersection of the FGA and data justice, and, once these had been selected, a literature review of policy documents and academic publications was conducted which mapped the relevant policy debates within each of the strategic areas.

Reports and other materials from the Future Generations Commissioner’s website were also analysed to establish key stakeholders, some of which were later approached for interview, while snowball sampling was used to gather further documents to inform the key themes in each strategic area (participation, procurement and data governance).

A shortlist of initial expert interviewees was also selected from across Welsh public sector, central and local government, civil society and academia that corresponded to the three areas of interest, with some interviewees having expertise from more than one of these areas.

Interviews

The second phase of research involved creating interview schemas and conducting semi-structured interviews online with twenty-seven stakeholders, with each interview lasting approximately thirty-fourty minutes. During the interview phase we used an inductive approach to adapt the interview schemas; for example we discovered during interviews that co-production and user-centred design were prominent themes in relation to participation.

Whilst we managed to interview a broad range of stakeholders, there were some access issues particularly regarding procurement professionals. See table 1 below for the complete sample.

Table 1: List of interview participants

Interviewee affiliation	Orientation	Project theme
Caerphilly County Borough Council	Public sector	Procurement
Can Do Toolkit	Civil society	Procurement
Cardiff University	Procurement academic	Procurement
Commissioner’s Office		Participation
Commissioner’s Office		Procurement
Commissioner’s Office		All
Commissioner’s Office		All
Co-Production Network Wales	Civil society	Participation
Data Cymru	Private sector	Data governance
Digital Health and Care Wales	Public sector (NHS)	All
Digital Inclusion Alliance	Civil society; equality	Participation
Diverse Cymru	Civil society; equality	Participation
Ethnic Minorities and Youth Support Team	Civil society; equality	Participation
Measuring the Mountain	Civil society; social care	Participation
Monmouthshire County Council	Public sector	All
One Voice Wales	Civil Society	Participation
Powys County Council	Public sector	All
Public Health Wales	Public sector	All
Wales Cooperative Centre	Civil society	Participation



Wales Council for Voluntary Action	Civil society	Participation
Welsh Centre for Digital Public Services	Digital strategy	All
Wales Data Nation Accelerator	Academia	Data governance
Welsh Government	Senedd Member	All
Welsh Government	Digital strategy	Data governance
Welsh Government	Health and social services	Data governance
Welsh Government	Sustainable development	Procurement
Welsh Local Government Association	Digital strategy	All

Analysis

The interviews were transcribed and thematically analysed using a coding sheet based on the three strategic areas.

Workshop

A virtual policy hacking workshop was organised to help inform recommendations based on the research findings. Over forty individuals were invited from Welsh public sector, local and central government and civil society. A briefing document was prepared in advance for all confirmed participants which outlined the project in more detail and highlighted six key findings, with discussion points proposed for each finding for participants to consider during the workshop. The workshop itself began with a project presentation and was divided into three discussions that corresponded with the six discussion points raised in the briefing document. Breakout rooms were used for participants to discuss the points in small groups followed by a group discussion in which participants fed back their comments to each other, moderated by the PI. Members of the Data Justice Lab took notes from all discussions that were then collated and sent out to attending participants as a summary document.

3. ACTIVITIES & OUTPUTS

Please list any outputs from your project to be entered in the Not-Equal Researchfish submission. These include events, publications, workshops, webinars, invited talks, media coverage and tools (please include links to open source, git-hubs if relevant) that have resulted from your project.

Please include the following for each entry:

Title: Advancing Data Justice in the Future Generations (Wales) Act

Date: TBC (December 2021)

Type of Event: Report

Number of People Reached: Unknown

Primary Audience: Policy-makers and public sector workers

Key Outcomes/Impact: Identifying avenues for participation and governance in relation to data-driven innovation in the public sector

URL: TBC

Title: Workshop on Advancing Data Justice in the Future Generations (Wales) Act

Date: 21st of October 2021



Type of Event: online policy workshop

Number of People Reached: 20

Primary Audience: Policy-makers and public sector workers in Wales

Key Outcomes/Impact: Identifying avenues for participation and governance in relation to data-driven innovation in the public sector

URL: N/A

Title: Workshop report

Date: November 2021

Type of Event: Report

Number of People Reached: 40

Primary Audience: Policy-makers and public sector workers

Key Outcomes/Impact: Identifying avenues for participation and governance in relation to data-driven innovation in the public sector

URL: <https://datajusticelab.org/advancing-data-justice-in-the-future-generations-act/>

4. INSIGHTS & IMPACT

Please describe the findings of your project and their significance in relation to potential or actual social impact.

RESEARCH FINDINGS

- 1) *Within the Future Generations (Wales) Act digital technologies are tools for “future proofing” and “future readiness”.*

On the whole interviewees viewed the role of digital technology within the Act as a tool with which to future proof public services and certify the future readiness of the Welsh public sector. For some interviewees the FGA’s future orientation aligns well with digital technology because the latter was perceived to represent the future. The Act was viewed as helping to prepare Wales for an impending technological reality of automation while Wales’ digital strategy reinforces the FGA because both are about making organisations transparent, sustainable and future ready. In practice being future ready meant improving broadband connectivity and making sure workforces have the necessary skills to work in the digital economy, as well as designing services that are open and transparent. Some interviewees also spoke about the pressure of needing to predict future trends, which stemmed from the joint future emphasis that both digital technology and the FGA were seen to encapsulate. It was suggested that data can help the public sector to fulfil its Wellbeing goals and assessments by enabling it to predict future trends before they happen, in turn delivering improved outcomes for the public that are in line with the FGA. However, a small minority of local government and national government interviewees did not see a direct link between the WFGA and data and AI, either siphoning off digital as a separate, unrelated phenomenon or suggesting digital policy is evolving in a silo. Some suggested the FGA had not yet had any impact or bearing on the development of digital policy in Wales.



2) *Public procurement in line with the Future Generations (Wales) Act provides avenues for social value but this is not yet being widely applied to digital procurement*

The most common way in which public bodies are engaging with the FGA when it comes to public procurement is in terms of thinking about the wider social impact of procurement decisions. Interviewees described how public bodies are engaging with the FGA to redefine the concept of value, and value for money, and shift this towards procurement outcomes that benefit the whole community. In practice interviewees said this is producing a number of positive community benefits such as job opportunities for disadvantaged people, improving Housing Associations, enhancing cultural experiences and lowering the carbon footprint of local supply chains. Interviewees also suggested that communities, or service users, need to be more involved in procurement processes, describing communities as the missing link that are done to rather than with. There was a sense that this is starting to change, however, due to the FGA. Having said that, it was also acknowledged that this has not yet been widely applied to digital procurement. In fact, public bodies are engaging with the FGA in a slightly different way when it comes to the procurement of data enabled technologies; the focus seems to be less on social value and community benefits. For instance, interviewees spoke of the priority of giving procurement professionals better digital skills in order to be intelligent and informed customers of digital services and improve digital innovation. It also emerged that for digital services there is a separate framework for holding procurement decisions accountable called the Digital Outcomes and Services framework.

3) *The Involvement Way of Working is advancing diversity and inclusion, but in digital contexts often translates into user centred design*

Several interviewees spoke about using the Involvement Way of Working to make services more accessible to everyone, manifesting in a range of interventions to strengthen diversity and inclusion such as using Welsh language in training sessions and materials; strengthening the representation of under represented groups through work with homeless charities and drug and alcohol charities; and creating British Sign Language videos for information about local services. In digital contexts, though, the Involvement Way of Working was often interpreted as applying user centred design to the digitisation of public services, prioritising the user journey or experience of a digital interface and the accessibility of this. Here involvement in datafied services was defined in terms of citizens having a say in how to design and improve the accessibility of online services. Citizens are also being involved in user research that seeks to understand their perspectives in order to better design digital services suited to their needs, particularly finding out what an end user wants from a website. A perceived benefit of this is that users provide feedback in real time in order to improve public service delivery. However, there is a lack of engagement with citizens about the broader questions about what digital technologies should be used for, how they should work and whether digital technologies are appropriate for addressing community needs.

4) *Understandings of A More Equal Wales in relation to digital technology are mediated by a digital inclusion agenda*

The way in which interviewees articulated understandings of social inequality and the Wellbeing Goal of A More Equal Wales in relation to data and digital technology was by locating this relationship in digital inclusion policy debates. There were many concerns about groups already facing socioeconomic disadvantage being further disadvantaged by digital exclusion caused by

public sector digital transformation. In terms of solutions to this inequality, policies that strengthen digital access were seen as aligning well with the FGA, as well as working with disadvantaged communities to give them the skills to use digital services and implementing device loan schemes for a range of communities such as elderly people in care homes. At the same time, there was also recognition from some that a digital by default approach could be problematic and potentially further exclude particular groups. Others saw a possible tension or misalignment between the policy objective of digital transformation and the Wellbeing Goal of A More Equal Wales, for example in the context of data sharing in health creating reluctance in some communities to sign up to a GP at a crucial time for the success of the Covid-19 vaccine roll out. To a lesser extent, some concerns were expressed around inequalities resulting from biases in automated decision-making, especially the concern that developers could subconsciously code their own biases into algorithmic systems.

5) *Data collection and sharing require more public dialogue and citizen involvement*

Although interviewees were not familiar with alternative data governance arrangements like data trusts and data cooperatives, we found that several interviewees felt that data collection and data sharing require at least more public dialogue and awareness, and sometimes direct citizen involvement. There was, however, a consensus that it is currently unclear what such a campaign could look like in practice and a spectrum of potential public involvement initiatives emerged. This included democratising data collection processes by opening them up to citizen input, possibly through workshops, as well as talking to the public to explain data sharing and listen to any concerns they have. There was also a suggestion that citizens need to be able to trust public bodies with their data. However for some interviewees public awareness or consultation was viewed as important primarily for obtaining the legitimacy and acceptance of datafication projects and less as a means of empowering or involving citizens in decision making processes about data. In this regard engagement around data was about obtaining permission from the public or earning a mandate for data collection and sharing practices. In some cases there was a nervousness towards public involvement in data governance debates because of the potential to worry people unnecessarily.

6) *From consultation to co-production: distinguishing between token and meaningful public engagement*

Interviewees drew distinctions between tokenistic, light-touch models of public engagement and fuller, substantive models. In the former category public consultations were sometimes seen as limited for being lengthy, unappealing processes. This was contrasted with more innovative examples of engagement that are beginning to emerge under the FGA, such as citizen juries and community asset transfer initiatives like Project Skyline. A spectrum therefore emerged with consultation and co-production representing opposite ends. Some interviewees described consultations as conventional and tokenistic, while others highlighted the negative perception of consultation processes among particular communities, such as ethnic minorities who have participated in multiple consultations but have felt little resulting change in their lives. In contrast, mini public and co-production models of public engagement were seen as offering meaningful involvement in line with the FGA, especially among our third sector interviewees, and provide a means for public sector decision-making to be informed by lived experiences. Mini public methods like citizen juries and citizen panels were viewed as especially valuable by some because of the perceived potential to provide everyone, if willing, the equal opportunity to take part in discussions that they might traditionally have been excluded from. The recent Race Equality

Action Plan was highlighted as an example of co-production good practice. However, though co-production was seen as meaningful participation and necessary for communities to have real influence, this was not without acknowledgement of the time and resource challenges it presents for local authorities. A further challenge was “engagement fatigue” among some communities because they are being asked to give their experiences but there is a need to balance this in terms of what they get in return. A final challenge with co-production in practice is precipitating a cultural change within public bodies, as it was felt that changing public sector workers’ understanding and readiness requires a significant transformation.

SIGNIFICANCE

1. Our findings suggest that there is scope to develop procurement processes of digital services in line with FGA, that places greater onus on the supplier to uphold standards of accountability, inclusion and diversity, but also empower public sector professionals to be able to negotiate this. The forthcoming Procurement Centre for Excellence could be responsible for this.
2. Our findings suggest the need to bridge current gaps between FGA, data sharing guidance and data protection legislation, especially in relation to how data is collected and used, rather than how services are designed.
3. Our findings show that user-centred design engages the public and seeks their experiences but understands Equality, Diversity and Inclusion discourse primarily as access to services. There is scope for user-centred design to involve citizens more comprehensively, including in problem definitions and optimization goals, that also avoids treating citizens as one homogenous group of end-users, thereby neutralizing difference.
4. Our findings show that there is a lack of local public engagement and there are concerns with the representativeness of data and potential for bias in AI. There are potential for the FGA to target engagement with affected groups at a local level, backed up with appropriate educational resources, that allows citizens to voice any concerns and be informed about how their data will be used.
5. Our findings suggest a growing emphasis on co-production as a sustainable engagement model that produces better long-term outcomes for digital public services in line with the WFGA, but it is time-consuming, resource-heavy and isn’t easy for the public sector to implement.
6. Our findings show a limited engagement with data governance and stewardship arrangements that can be expanded through experimentation with models explored elsewhere (e.g. from the Ada Lovelace Institute). In particular, there are lessons that can be learnt from experimentation in participatory budgeting, emphasized in the FGA, that can be applied to more participatory data governance models.

5. REFLECTIONS & FUTURE DIRECTIONS



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Please list the key highlights from your project, summarize any lessons learned from this work and outline any future directions or plans to continue activities beyond this project.

HIGHLIGHTS

1) *Potential for action*

The Future Generations (Wales) Act provides both an avenue for advancing data justice as well as being a target for ensuring greater civic participation in relation to data-driven innovation in the public sector.

2) *Engagement from stakeholders*

We experienced great engagement with the project from policy makers and professionals in the Welsh Government both within and beyond the Future Generations Commissioner's Office. However, whilst there may be a will to advance data justice, there are historical and structural barriers in place. In particular, the overriding incentive structure is to implement data-driven innovation for perceived efficiency and financial gain.

3) *Moment of experimentation*

Our project illustrated that this is a period of experimentation with data-driven innovation as well as public engagement and governance that could potentially facilitate radical intervention. However, this requires general empowerment of the public sector vis-à-vis industry.

4) *Discrepancy between vision and practice*

Our research indicates a discrepancy between the vision of the Future Generations (Wales) Act and how it is being implemented in practice. This goes beyond questions of digital services and is an issue with procurement and public engagement more broadly.

LESSONS LEARNT AND FUTURE DIRECTIONS

- 1) Advancing real change in how data-driven technologies are understood, pursued, designed, implemented and used in the public sector requires structural and institutional reform that goes beyond the scope of this project.
- 2) There is a need to explore how and why the FGA is implemented, especially with regards to public procurement. There is a discrepancy between the vision of policy-makers and the practice of public sector professionals that needs to be examined.
- 3) Whilst there is a commitment to social value in the Welsh public sector, how this is assessed in relation to financial value remains a key question and is significant for how the FGA can actively serve to change practices. This requires research into the role incentive structures and broader policy agendas (e.g. austerity) in the implementation of the FGA, particularly in relation to digital services.

- 4) There is scope for experimentation with public engagement models in the Welsh public sector focusing on data-driven technologies and we plan to pursue this further through a series of action learning sets with local authorities in Wales.

Further Information

If you have any further questions regarding this form, please contact notequal@ncl.ac.uk



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