

Fairness and flexibility

Making personal data work for
everyone



citizens
advice

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Introduction

People powered data

Citizens Advice understands the power of people's data. Crowdsourced complaints can paint a precise picture of how and where problems occur. User generated data can connect people together to take action. Aggregated data from our local networks, telephone and online advice reveals patterns of emerging detriment before it becomes apparent to others. We have yet to tap into the full potential of personalised services to improve consumer interactions.

Against this background, the risks of data breaches and hacks, privacy invasions and fraud are becoming more and more apparent. However, when it comes to personal data, we have argued that alongside the necessary focus on risks and detriments, we also need an approach that allows people to be empowered by their own information and data, within a trusted and safe system.

In recent years, we have seen the evolution of a new type of service, powered by personal data that can analyse behaviour and help consumers make better decisions. For example, automated services that take on the hassle of regularly scanning and switching in complex markets. These types of services can put the insight and value of data patterns right back into the hands of the consumers who created it in the first place through their online activity. They have the potential to improve services by saving time and money. Personal data stores too are growing in number, these are intermediaries who provide a filter between individuals and companies, communicating personal preferences and checking they are honoured on behalf of a consumer.

Questions of trust

But reaping the benefits of empowerment means more than just the latest killer app or switching tool. Any service that relies on pulling together and analysing personal data must have consumers' trust¹. But, as this and other research shows, trust is sorely lacking in the online world. Despite strongly-worded laws

¹ Royal Statistical Society Data Trust Deficit, 2014

and high levels of use of online brands, consumers feel out of control of their information and choices in the digital world. They worry about what is going on behind the scenes, and where it will all lead. Although appreciative of the benefits of the digital world, they feel elements are unfair and the balance too heavily tipped in large organisations' favour.

There needs to be a trusted, safe and fair environment, flexible enough to address people's worries and respond to their expectations. A greater awareness and appreciation from companies for consumer concerns and expectations will make a welcome change for people, and be a much better basis on which to build more sustainable, mutually beneficial services. To put this into practice, policy makers and companies should design processes that reflect how people actually behave - instead of defaulting to the unrealistic expectation that people will be protected by being given yet more and more information.

New consumer insights

This policy report aims to put forward new approaches and practical solutions for developing a fairer and more responsive data ecosystem. It draws directly from newly commissioned qualitative research with consumers, looking at how they would like their data to be handled and managed, what currently worries them, and what could be done to build more trust. A full write up of the research can be found on our website.

Through our previous analysis² and stakeholder work, we know there is broad agreement that major changes are needed in the way in which consumer data is handled. In much data policy or service development, the voices of consumers have not been heard - despite them being key participants in the digital process and the originators of much of the data within the system. There is a lack of detailed qualitative evidence of how consumers experience digital markets and how consumers really feel about risks, trust, privacy, and control.

This research addresses this insight gap, by showing what it feels like to be part of a fast moving digital world, and what needs to happen to increase trust and participation. We explored what key principles such as trust, control and value mean to consumers when thinking about collection and use of their information online, and ask how they might be put into practice. The scale and speed at

² [Personal data empowerment: time for a fairer data deal? Citizens Advice, April 2015](#)

which personal data is created, gathered, applied and repurposed makes unpicking the consumer experience a complex challenge.

What consumers want

The main things people told us they want were:

- **A fairer and more balanced data environment, with more visibility and openness about data flows as a whole, and in particular with what information is collected about themselves.**
- **A more responsive system that enables easy ways to make decisions on how their information is used, and to change their minds if their preferences change.**
- **To feel safe and confident online: this was not just about data being secure from malicious attack, but having confidence that any companies who overstep the mark will be held to account.**

To ensure consumers can maximise the benefits of the digital world, then we need to work together to make these asks real. This will start with understanding what. These research insights will help to unpick drives their concerns and how these could be overcome, an important step in developing sustainable solutions for a more responsive and fairer data system.

Wider implications for policy makers and regulators

The findings from this research were primarily about the commercial use of data, but they reveal a lot about what might be holding back some consumers from engaging more deeply in, and maximising the benefits of digital technology. They have a wider relevance across other policy priorities such as:

● **Engaging consumers in switching**

Many markets offer a daunting array of deals. It's hard for people to be certain they have found the very best deal for them. Price comparison websites offer a way to sift through, but often the process needs to be repeated annually to keep on top of changing offers. Policy makers have grappled for a long time with the

challenge of consumer engagement in regulated markets, which they see as essential to driving competition.

Data driven intermediaries could potentially work on a consumer's behalf across many markets to find the best deal for someone or tailor a service to them, and update automatically as deals expire or new ones arise. In energy in particular, with low rates of switching, many market-scanning 'concierge' services have appeared, offering to take on the hassle of searching and switching for consumers, based on data about their energy use. However these so-called 'next generation intermediaries' have yet to hit the consumer mainstream. This research reveals a general suspicion of what goes on behind the scenes of many online services. Intermediaries looking to provide potentially useful services will need to be aware of why this is and what it would take to build trust and increase uptake.

● **Applying behavioural insights**

For a long time, the consumer protection framework has assumed that providers can fulfil their obligations by disclosing full information to consumers about products or services, thus putting the onus on consumers to inform themselves and choose whether to take up the product or service. These traditional information remedies, including terms and conditions for online products, are showing their limitations in a fast moving, connected world where simply disclosing practice is not enough to protect consumers.

In this research we hear directly from consumers about how this has led to frustration and cynicism about companies' motives, and has failed to make them feel protected or empowered. Insights from this study could help design new proposals for delivering information to consumers in the right format, at the right time and in easily understandable language.

● **Confidence in compliance**

Companies and regulators are now preparing for the delivery of the European Union General Data Protection Regulation (EU GDPR). The regulation strengthens key data protection and information rights for consumers and many of its ambitions align closely with what we found consumers were asking for in our research. However, an exit from the European Union brings uncertainty to the implementation of this regulation in the UK, and much will depend on the new government's approach to data protection.

Our research found however, that consumers felt greater clarity, control and accountability would increase confidence and trust in businesses.

Understanding how to deliver this with or without the EU GDPR remains an important challenge for business.

● Increasing digital inclusion

Digital exclusion has huge costs both for individuals and society. The digitally excluded currently struggle to achieve the kind of savings and support that the digitally capable get from being online (estimated at £516 per household³). With public services moving towards digital by default delivery, those not online will miss a critical point of access to even more services. However, inclusion is not just about getting connected, it is about having skills and confidence online.

This research reveals a lot about the lack of control felt by many people in the digital world generally which feeds into a lack of trust and confidence. Basing interventions on a better understanding of these worries could help bring confidence and capability to digitally excluded groups.

How we did the research

We commissioned research agency Illuminas to run qualitative day long discussion groups with a broad range of consumers across the country in Cardiff, Leeds and London. Participants came from a cross-section of socioeconomic, age, demographic groups, all with experience and confidence in using digital tools, services and devices. They were put into two groups, one 'confident/informed' which represented people with a much wider and deeper use of technology and another one 'confident/working knowledge' who used digital technology regularly but were not so reliant or immersed in it.

This enabled us to consider attitudes and experiences of digital life as a whole – across different activities, age groups and in different settings. Giving people space and time to reflect on how they feel about the existing data relationship on offer was really important, particularly as so many of us have grown accustomed to this being the only option. The moderators used a range of techniques to draw out attitudes and expectations. [The full research report can be found here.](#)

³ A leading digital nation by 2020, Tinder Foundation, 2014

2 Consumer perspectives on life in a digital world

Key themes from discussions with consumers:

2.1 The digital world for consumers is fun, free, flexible and familiar

The tantalising upfront offer from digital brands of high quality services at low or no cost, and the familiarisation with smart and speedy processes seem to hold people back from expressing reservations up front. They also create very high expectations of how solutions that might provide more balance and control should be delivered.

2.2 This world can also feel unbalanced, unfair, impervious and unclear

Consumers expressed reservations about what goes on behind the scenes and a sense that this is all too good to be true. Immediate gripes with invasive marketing are accompanied by deeper seated worries about what might happen in the future with their data, and where technology as a whole is taking society. This leads to erosion of trust in brands and systems – but despite this, we continue to see strong continued use of such services and brands. This continued use is interpreted by many to mean consumers are comfortable with the way things are, but we found this not to be the case.

2.3 Conditioned not to care?

When given space to express concerns, consumers have worries about lack of control, privacy and the impact of high use of technology on the next generation and on social or family life. These concerns aren't always readily expressed as people have been so reliant on the way services are delivered for so long that to change or challenge seems both difficult and unlikely to work. In addition, the immediate gratification and convenience of so many services can override these deeper concerns.

2.4 Knowing less and trusting more

Consumers feel that the data monetisation business models of many online businesses are shrouded in mystery and poorly understood. They are aware of some kind of data exchange but are not clear how it works. However, being aware, or making an effort to understand the exchange doesn't bring much clarity or confidence.

2.5 Backed into a corner: consumer choice and control

People feel their choices online are limited in two ways: firstly, to participate at all in the digital world as it is so integral to society, secondly, the limited choices they have when interacting with brands. They feel they have an all or nothing choice to make when accepting the terms of the relationship.

2.6 Who to trust?

Trust was talked about in two ways, firstly there was high trust in online brands to deliver quality, reliable service and to keep payment details safe. However, there was lower trust in use of other personal data, and in whether they are acting in consumers' best interest. Without fully understanding the terms of the terms of exchange, they cannot make a judgement call on whether it is fair or not.

The rest of this section explores consumer perspectives of the digital world in more detail under each of these themes.

2.1 The digital world for consumers is fun, free, fast, flexible and familiar

Consumers of all ages get deep gratification and convenience from the digital world. They appreciate the speed and ease of buying, planning, finding information, socialising and being entertained online. This means more than just simply saving time, or saving money. Being freed up from mundane tasks like the weekly shop means more leisure or family time, and less hassle. Having easy access to social tools like networking sites or broadband telephone services such as Skype, make connections between people immediate, easily and constantly available.

“I don’t even notice that I’m using technology, it’s just so much a part of everything I do”

“I can just do my Sainsbury’s shopping on the way home on the train – saves me so much time and allows me to have more time at the weekend”

Younger people who have grown up with digital technology are steeped in the convenience and flexibility of the online world and have high expectations of speed and ease of use. Added to this, the immediate and payment-free nature of many goods and services means that it is easy for consumers to put any reservations or concerns that they may have about the relationship they have with digital providers to one side.

The combination of tantalising upfront offers from digital brands, and expectation of smart, speedy and easy processes is an important backdrop for attempts to bring balance to consumer relationships with digital brands. These are two high hurdles that any potential solutions must overcome.

2.2 The digital world also feels unbalanced, unfair, unclear and impervious

Despite the obvious positives, reservations sit behind the convenience of, and satisfaction with, the digital world. Ironically, it is the much appreciated low cost and attractive offer which have actually served to create some of these

misgivings. As the convenience and reach of digital technology increases, so does dependence and with it the sense that it could all be 'too good to be true'. There is a concern that perhaps nothing is actually really free and that there will be consequences for them.

There is also some anxiety about how continuing with this model will impact on future generations. Worries vary between consumers but originate in both direct experience and from an underlying sense that individual autonomy is being diminished by the onward march of digital technology. Consumers feel that these implicit and explicit concerns have combined to erode their trust in digital brands and the wider online ecosystem in which they operate.

2.3 Conditioned not to care?

The ongoing and enthusiastic consumer participation in digital technology which relies so heavily on collecting personal data, has been interpreted as a lack of concern about what digital brands do with their personal data. But our research strongly challenges the idea that continual engagement means consumers are not concerned.

Giving consumers time and permission to express what they think and feel, and to explore why, reveals very interesting insights into what they worry about, and why this may not be expressed prominently. The pervasive nature of digital technology means people's choices whether to engage or not are increasingly limited. Thus, it is even more important to understand and address consumer concerns as they are less likely to be able to vote with their feet.

What worries consumers in the digital world?

Consumers raise explicit concerns about: identity theft and fraud; the impact of large-scale company hacks; stalking or trolling; other individuals knowing more about you than you would like; over-reliance on technology affecting family life; and a worry that valued face to face services, like local GPs might eventually be replaced by automated screens.

These concerns are more readily expressed as they tended to be front of mind for many, and directly related to experience. These include: media coverage of breaches; requests for more much data than is felt necessary; automation of tasks such as supermarket check outs; unexpected, unwanted and overly

invasive marketing; and the anonymity of people and companies behind digital brands.

Underlying concerns also surfaced during the discussion which are harder for consumers to articulate, they are more accurately described as general reservations or misgivings. These are mostly centered on feeling that technology has too much influence on our lives, and yet is out of our control. This general concern exacerbates reservations about the future direction of travel with data collection, and particular worries for the impact on future generations.

“The internet is like a big rollercoaster with loads of highs and lows; what I’m worried about, is the stuff that I don’t know about – the things that are hidden underneath the slide”

So why isn’t concern readily expressed?

Short term gratification overrides concerns about longer term impacts

The first section described how the convenience and speed of many digital transactions is a source of huge gratification to consumers. Behavioural insights tell us clearly that our cognitive processes are biased towards putting a higher value on short term benefits at the expense of considering longer term risks.⁴ The immediate lure and satisfaction of receiving a service or app (often for no upfront payment) dampens thoughts of future consequences. In addition, the service or app on offer is tangible and obvious to a consumer, whereas the future consequences of imparting one’s data to a provider who may go on to share it are more abstract and thus harder to pinpoint and weigh up.

Clearly, the priority given to satisfying immediate needs is a major factor in explaining why consumers continue to use things they express reservations over. But there are other reasons why people did not readily express concern or challenge the current system:

Stuck in the status quo

Many consumers feel they do not have any say over how the digital system as a whole works. Consumers are resigned to services being delivered as they are now, with far less consumer control than they would like. It feels irreversible, driven by the fact that so many have been shopping, browsing and downloading

⁴ [Applying Behavioural Insights to Regulated Markets: Behavioural Insights Team for Citizens Advice, 2016](#)

for many years, and that they have not experienced an alternative way of large scale digital delivery. It is therefore understandably difficult to articulate an alternative to the current system.

“The genie is out of the bottle...I’ve been buying online for over 10 years now....”

“We’ve all become digitalised now, it is just part of what we do is going on the Internet. We’ve been conditioned in a way, I think.”

There is also a feeling of not wanting to ask too many questions of the current system, as they fear losing out on some of the things that they like so much about it.

Too disquieting to imagine problems

Others prefer not to consider what could happen with their data. As transactions demand data, they share it, hope for the best and assume that nothing untoward will happen to them. This bias towards optimism is a recognised behavioural trait. On probing, they do realise that there are not sufficient controls in place to ensure that something won’t happen with their data. Closely tied to this concern is a feeling of guilt, as consumers know that they have shared a lot of their personal data over the years, and fear facing up to the realisation of how many digital brands hold their personal information.

Reliance on powerful global brands

The sheer depth and reach of global digital brands is also a factor. Large digital brands are the foundation of social and economic lives for many consumers, in particular younger people. They are reliant on what the system delivers, and thus on its current domination by a few large brands. This study found consumers to be sceptical they could do much in the face of this level of power:

“There’s just no point – what can I, or even we, do against the likes of Google?”

This further feeds the sense that there is little value in challenging some of the fundamental things about the way the online world as a whole works and so suppress concerns because they feel unable to act on them anyway.

***“They’re so powerful – they’re not going to listen to me.
You either go with it or you come off it”***

Younger consumers are less likely to feel they can challenge, as they feel this is the norm, and that it is necessary to relinquish control, in order to enjoy the many benefits offered in the digital world. But they are just as concerned about the lack of control they have over their personal information as older consumers. Indeed, as more of their lives have been captured and uploaded, they feel they have more to be worried about, such as employers, future partners or children seeing their history.

Perhaps then it is time to move on from the longstanding debate about whether consumers do or don't care about data and privacy preferences, and instead increase our understanding of what drives consumer concern, and how it could be rectified.

2.4 Knowing less, trusting more: information and knowledge in the digital age

For technologists or businesses working in this area, it is easy to forget that for many people online business models (particularly those based on data monetisation) are shrouded in mystery, despite being an established part of consumers' lives for many years.

Digital retail brands or those involving direct payment for some form of goods are better understood, as they are similar to the interaction with traditional brands – so when additional data is collected and used to target similar offers or recommendations the context is clear. However most consumers do not understand how digital brands that offer services for free or very low cost are able to monetise their personal data and online behaviour.

“So where is that data being held, by who? How are they making their money?”

“How can I know if I am getting a fair deal?”

Being made aware of the basics of the business model doesn't necessarily bring confidence or understanding, as they are still unable to judge how they fare in the exchange. Consumers' lack of knowledge, and lack of ability to easily find out what happens with their information, diminishes their opportunity to control how it is used, and who it will be shared with.

What lurks beneath?

Consumers suspect that this lack of openness is deliberate, as clear information about digital brands' business models is difficult to come by. They accept that these details are probably included in the brand's terms and conditions and that they don't take the time to read them. But they do not agree that making time to read them will necessarily rectify the situation. Those who had made an effort to find out how their personal data is collected, used and monetised, didn't feel much better off as a result. Consumers who had tried to read and understand digital brands' terms, say they are often left bewildered, and somehow feeling worse as they feel they have been able to successfully take responsibility.

So, it is important to see this not as a lack of willingness to understand the relationship, but more of a lack of confidence in their abilities to do so given the complexity of terms and conditions. It is also clear that the terms and conditions, as currently designed, does not work for many consumers.

"I read them but you still don't have a choice about what you're signing up to"

"They're a joke; no-one could understand them"

They feel their requirements for simplicity and clarity are reasonable, and feel frustrated that solutions to these issues can't be developed, whereas more complex user friendly experiences, can.

2.5 Backed into a corner: consumer choice and control

Consumers feel they have little choice in engaging with large digital brands

As outlined when discussing consumer concerns, people feel trapped between an obligation to participate in main digital platforms, and concerns about a lack of control over how their personal information is tracked and used. Due to their size, and integration into social and economic life, it is considered essential to be 'on', or to use these brands:

"To be part of the modern world, we have to be on all of the key sites- you have no choice.... If you weren't on these sites... people would ask what I was trying to hide"

Consumers worry that these monopolies will become even more powerful, meaning they will have greater ability to do what they like with consumers' personal information. As they know so little about what these brands do or can

do in the future with this data already, it makes consumers worry that they will have even less control as time goes on.

Consumers are aware of the limited choices available to them in interactions and this adds to lack of control

As well as feeling limited in their choice as to whether to participate in the digital system as a whole, there is also a sense that within particular services or brands, there is a narrowing of choice in how to interact.

“You end up feeling backed into a corner; it’s not a real choice”

This is felt by consumers in many different ways:

Personalisation or losing autonomy? The effect of personalising things for more convenience, can lead to a feeling of a narrowing of choice for consumers. For example, a grocery site repeating your shopping list preferences each time you order online, or suggested films on a streaming site, can lead to a feeling of a loss of autonomy. Convenience of personalised recommendations sits uncomfortably next to a loss of discovery or control over choices, an important factor for new services seeking to offer tailored decision-making on behalf of consumers to understand.

Brands consolidating: choice is also narrowing as brands are consolidating. Consumers worry about the impact on brands they liked for their privacy and lack of adverts being sold to bigger companies. This increased consolidation of brands, results in less and less choice for consumers, with a smaller number of organisations knowing more about more individuals.

All or nothing: some consumers do not currently consider that they have ever been offered a true choice, beyond the ‘all or nothing’’. Many do not feel they have a choice in what data they provide or is captured, who this data is shared with and for how long it is retained. They think that the brands will not want to make these choices more obvious, and give the consumer more control, as they realise that more consumers are likely to refuse.

Consumers feel that digital brands can do a lot to give them more choice over the business model, but they know that the brands don’t want to relinquish control for commercial reasons.

“If they’re going to make a pound out of us, I’d rather give them a pound, not to make that pound by selling the data- but they would never let us do that”

The dominance of large brands online makes consumers feel out of control of their data

Consumers feel the balance of power is with the large digital brands as they pioneered the digital environment and fuel enormous growth, with no constraints. The digital world feels highly complex, and its operators know far more about what happens behind the scenes than consumers ever could, thus they set the terms on which relationships happen. This may also be true of large players in any industry, but in the case of digital, the brands have control over what happens to their personal data and information.

Efforts to assert control don’t always feel worth it

Despite feeling constrained, some consumers put effort into asserting some level of control over the way in which their data is used, or in dealing with the consequences of it being used in ways they dislike. The fact that there are no clear, easy ways for consumers to take control of their personal information is borne out by the many different strategies adopted, some of which are options provided by the brand, others are consumer strategies:

Control strategies	
Inputting false details	<i>‘It’s a fake mobile number and all sorts that you have to put in, it’s all fake and everything gets signed up to that account so they can download all these games. And that’s how I control it’</i>
Junk folder or spam email address	<i>‘I have three emails; a work one, a personal one, and one for when I am signing up to things’</i>
Unsubscribing from spam mail and deleting cookies	<i>‘I delete my cookies all the time but you’d have to delete them every day to make a difference!’</i>
Setting filters, or asking more experienced friends or family to help with settings	<i>‘My daughter had set it all up so that only the family could see my photos and posts. But then all of a sudden I got approached by an old business contact - and I found that all the settings had changed’</i>
Seeking removal of content or data	<i>‘I asked a photo-sharing site to delete photos of me from years ago but it became a huge battle - it took months to sort it all out, but I did eventually’</i>
Unsubscribing	<i>‘I’m not on social media now for that exact reason [personal data collection]’</i>

However, the amount of effort put into trying to assert control doesn't leave consumers feeling much better off. They feel limited in what they can do and that the choices companies offer are restricted so that they cannot really express the preferences they have. This feels very different to other strategies and behaviours people use online in order to assert some control, or reassure trust. For example, people are adept at using review sites or independent ratings to check out suppliers of products and services, and use tools like payment intermediaries or trustmarks to ensure their financial and payment data is safe.

2.6 Who to trust?

The two sides of trust

Consumers consider trust at two levels; the delivery of the core service to a satisfactory standard, and the values of a brand, with consumers having to trust that the organisation will act in their best interest. Generally, consumers can recognise if they can trust a brand's service – they know what to look for, and recognise when a brand is not delivering it. But values are harder for consumers to understand and interpret, and they do not know whether or when digital brands do or don't have their best interests at heart to place trust in this organisation.

As well being able to trust a brand's values, people also want to feel that they're getting a fair exchange and that their data is safe, there are choices about how it is used, and it is easy to understand how it is used and why. Currently information is not available to consumers in a way that can help them determine trustworthiness - they do not know what data is used, and how, and don't understand the value of their information to the brands.

As discussions about trust developed, some apparent contradictions emerged. Brands such as Google, Facebook, eBay and Amazon were given as examples of brands which are trusted by consumers due to their size. They feel they are almost too big to fail, and so wouldn't risk bad practice.

“They just couldn't afford to make any mistakes as they are valued on having such huge subscriber numbers across the world, they need to do everything they can to protect their reputation”

But, when probed, this trust is more in these brands' processes and control over data (usually payment data) security, rather than in terms of respect for preferences with regard to personal data and privacy. Indeed, some of the same brands which consumers feel have strong data security are those that consumers feel may be exploiting their monopoly position in terms of analysis and sharing of their personal data. The reality is that consumers are now using global digital brands who they don't completely trust.

Lack of transparency about business models and terms of interactions

A key cause of consumers' lack of knowledge around digital brands' business models is that this information is difficult to come by. Consumers who are actively interested in finding out how their personal data is collected, used and monetised, find that digital brands do not make this readily available. This further feeds the idea that their offer is 'too good to be true', although tantalising enough to be taken up.

Consumers feel that terms and conditions and privacy policies which communicate how their data is used, are overly complex, and adopted to discourage understanding of what they are signing up to. The problems with small print and terms and conditions generally are familiar to consumers, but the scale of interactions and complexity of data use make them a bigger problem.

If brands listen to what some consumers want in terms of control, choice and transparency and if they implement the practical ideas they suggest, this could be the first step in demonstrating trustworthiness consumers.

Lack of accountability

Consumers weren't aware of an overall body that large digital companies are accountable to. This strengthened their desire to see companies themselves provide greater mechanisms to reassure trust and responsibility. People were keen to see a much more visible form of accountability. There was a feeling that, like in many other sectors, there should be high profile, agreed standards for acceptable data use in order to have something to measure practice against.

3 Understanding consumer expectations

Section two reflected why consumers feel and behave the way they do. This section builds on this, by presenting what people told us would build more trust and confidence in companies handling their data. The consumers' ideas presented here are not intended as a to-do list of recommendations, but they do clearly demonstrate where consumers would like to see change.

These expectations are rooted in the simple idea of articulating and standing by a set of clear values, and offering easy to use processes that deliver a responsive and fair relationship. Although they are set out below under separate headings, in reality these ideas of values, information, choice and control all contribute to building trust and so it is best to consider them together:



3.1 Unambiguous values and responsible practice

Feeling safe and confident in the digital world is not just about keeping data secure from malicious attack, but is about the confidence in companies to do the right thing, and be held to account if they overstep the mark. Consumers would like to be able to simply trust that digital brands and companies to do the right thing, in much the same way that they trust other products and services to be

safe and of reasonable quality. If they aren't happy, they'd like to be able to take action or see action taken.

Until the time that this trust can be taken as a given, consumers feel that the following should be strengthened:

- **Transparency and clarity:** Consumers tell us they want digital brands to have clearly defined values, based on a balanced relationship, and commitment to the ethical use of their data. To earn trust consumers would like digital brands to be open about what information they are collecting, why, and what they intend to do with the data. If brands were more transparent about the value they get from consumer data, it would allow the people to have a better sense of their worth in the value exchange. This, by itself is not necessarily empowering, but it will allow a more honest relationship, which is a prerequisite to building trust.
- **Accountability:** In order to feel able to trust digital brands, many consumers tell us they wanted to have a much clearer line of sight to enforcement which would see minimum standards upheld. This would make consumers feel protected, and reassured that an independent body is holding the digital brands to account with consumers' personal information.

'Surely there's something policing it all? There should be!'

- **Responsibility:** Trust can only be gained in the digital world if there is strong co-operation and shared responsibility amongst the different parties, who all have some part to play in keeping personal data safe and respecting privacy, sharing and usage preferences. Consumers want digital brands to adhere to rules and standards set by an independent body and ensure that consumers' needs and requests are met. People say that if they knew others were playing their part, then they would find it easier and more worthwhile to take more personal responsibility.

3.2 Smart information that builds knowledge and enables action

A fairer and more balanced data environment needs more visibility and openness about data flows as a whole, and in particular give people certainty

over what is happening with information about themselves. Despite the recognised difficulties with information remedies, consumers still feel strongly that better information and knowledge are the best way to improve understanding, control and to build trust. Keeping in mind the context of consumer familiarity with a fast paced, frictionless digital environment, any information remedies must be concise and targeted and not slow down the digital journey too much. A tricky balance to strike, but one that could be done through:

- **Clearer language:** guidance on how data is used and how to decide the right choice for a person, needs to be presented in a simple, easy-to-understand language that avoids confusing legal jargon.
- **Easier visualisation:** consumers would like to be able to easily see who holds what information about them in a central place. Terms and conditions could be translated into simple language or symbols, which are large and bold, so that they could be understood at a glance.
- **Tangible information:** as opposed to just providing more options, consumers were keen on having more tangible information which they felt would be easier to act on. For example, explicitly telling them that if they agree to certain terms and conditions, their personal information will be shared with a specific number of companies for a specific length of time (or indefinitely), provides a more tangible basis on which they can make an informed decision.
- **Processes and business models:** consumers want to be informed about both the way in which data is collected, and how it makes money. Consumers want to be able to choose what data they provide, who this data is shared with, and for how long it is retained. However, in order to do so, they need to be given the context that allows them to understand what a fair, trusted exchange would look like.

3.3 Control made easy and choices made meaningful

Consumers would like to see a system that responds to their preferences, and changing needs and that enables easy ways to make decisions on how their information is used.

Having control doesn't necessarily mean having to master lots of new settings or technical detail. It is more about being able to quickly master the basics and exert control within that. Consumers compare the control they want to driving a car – it requires some knowledge and practice but once mastered requires less effort. On an ongoing basis, they want to have to do and think as little as possible about this, with as much as possible set up as the default. Driving a car also relies on everyone else adhering to the same approach and sticking with it, without having to constantly re-learn the rules.

- **More standardisation:** people feel a standardised format, style and wording (where feasible) for terms and conditions and privacy policies could remove some of the confusion and make control easier. For example, standardising the way in which opting out of data sharing is presented so that there is no confusion, or even making non-sharing the default so that they would have to make a proactive choice to opt in to sharing. The idea of exception notifications, where any type of data practice that was outside the normal expectations would be made prominent is very appealing as it would reduce the amount of information that needs to be read.
- **Ability to review and retrieve:** consumers have practical ideas for what choice looks like. Having the option to review their selections and potentially change their mind, with the help of cooling off periods and periodical reminders gave them a greater sense of control and empowerment. Consumers would like the ability to reverse track who has their information, and request for it to be retrieved or deleted - especially from third parties who they feel may not have explicit permission to access it.

'If we could see everywhere that our data has been shared and delete it; that would be amazing'

- **Option to personalise privacy settings:** The chance to have more control over their own privacy settings is very appealing, especially when coupled with a better understanding of the consequences of their decisions. Many are seeking bespoke, tailored options that meet their specific needs. However, given the speed and convenience of the online world, a balance needs to be struck between granularity and minimal effort. Some more experienced consumers were enthusiastic about the concept of using personal data intermediaries to manage the complexity of privacy and sharing settings with multiple providers on their behalf.

- **Choice and autonomy:** They also want more choices over terms of the data exchange. Respondents have different preferences for what they might be willing to pay for a service. But they all welcome the idea of at least having a choice available of whether to take up a service or product for free in exchange for data, or to pay for something and have minimal or no data collection or sharing. And finally, consumers want the choice to change their mind, whether that be about privacy settings or sharing permissions.

'It feels like you're on a rollercoaster and there's no going back – I should be able to change my mind whenever I like!'

4 Meeting consumer expectations

This research has been able to paint a richer picture of the digital lives of consumers than most quantitative surveys can reveal. It has uncovered a range of up front concerns and underlying reservations from consumers in the fast paced, frantic and frequently fun digital world in which they are deeply embedded. Some of these reservations could hold back consumers (and businesses) from maximising the benefits of the digital world, and in some cases even lead to detriment.

We've seen how some of the valuable connections forged through the world wide web can also mean equally wide and connected challenges. Yet because of the increasingly essential nature of being online, it is important that services take accounts of concerns and expectations.

4.1 What do consumers want?

Through this research, consumers have taken the opportunity to consider how they really feel about the way their data is used. They have told us what they want and why, and have clearly articulated what this might look like through the ideas presented in section three:

- **A fairer and more balanced data environment, with more visibility and openness about data flows as a whole, and in particular with information about themselves.**
- **A more responsive system that enables easy ways to make decisions on how their information is used, and to change their minds if their preferences change.**
- **To feel safe and confident: as well as data being secure from malicious attack, consumers want clarity on where responsibility lies and the confidence that any companies who overstep the mark will be held to account.**

And yet, delivering on these expectations and creating a way of doing things that inspires more confidence must be understood in the context of the enjoyment, freedom, convenience that the rise of digital technology has given people.

Familiarisation with smart, speedy and convenient service delivery at low or no upfront cost has set a high bar for potential solutions to meet. New approaches will need to build knowledge, deliver choice and control with a minimal effort required of consumers, and with a minimal impact on their familiar online experience.

4.2 Working together to meet consumers expectations

Is this too big an ask? Consumers don't seem to think so. In fact they are frustrated that the ambition and skills behind so many digital services don't seem to apply to addressing the things that worry them.

But delivering on these expectations presents companies with some difficult choices, particularly given the data monetisation model of so many large online brands. Consumers' privacy preferences are often contextual and fluid, they have high expectations of low cost and effortless service. Their concerns are entwined with bigger questions of where technology is taking society, government and jobs, as opposed to always being able to pinpoint issues to specific company practice - although these certainly fuel or even embody concerns. So, effort is required by all parties involved in the delivery of trusted digital services- policy makers, regulators, businesses and consumers themselves.

Outlined below are recommendations for a range of activities for policy makers, businesses and regulators to help develop the trust and confidence that consumers want:

Building trusted interactions with consumers

- Organisations should recognise that long term trust will be built by understanding what consumers want and on what terms. Recognise that they are likely to be starting from a low position of trust in terms of privacy and data handling, and so to build engagement with that in mind.
- Recognise the desire from consumers for smart, simple and honest control and choice options. Organisations should make sure reassuring trust is integral to design and operation, not a bolt-on at the end. As

such, they should follow Privacy by Design principles and robust security standards.

- Organisations including businesses, policy makers and regulators should explore and test the many different models and approaches available to see how successful they are at delivering some of the things that consumers say they would like. For example, improving current consent and information processes, defaulting to high privacy levels as standard, granular choice tools, greater use of intermediary managers, or experimenting with different pricing structures.
- Demonstrate accountability to consumers, either through adherence to robust external schemes or by directly answering to consumers if they are unhappy with practice. Develop clear and accessible processes for consumers to complain or seek remedy.

Developing a healthy intermediary market

- Intermediaries wanting to automate switching should prioritise building consumer trust as well as offering time and money savings. They should be clear on how they make money, provide accountability, fair complaint handling and redress, and give consumers the control they want over their own data.
- For intermediary services that bring together different data from different sources, regulators should create a framework which preserves the protections that consumers currently enjoy if things go wrong with data handling, and does not put the liability on them.
- Policy can also strengthen data portability requirements to encourage innovation by driving new data analysis intermediaries. Consumers should be able to access and copy their consumption or transaction data so they can easily reuse it for their own purposes. This data should be made available in an open, easily comparable and sharable format as required by midata.
- Policy makers could also open up opportunities for intermediaries to innovate around communicating terms and conditions in easily digestible ways, for example by ranking and scoring them. Requiring them to be published in an open, standardised format would make this easier.

Protecting data, empowering consumers

- A review of the reach and impact of current enforcement powers for data protection and information rights, and identify any gaps in powers or enforcement activity.
- Competition regulators and policy makers need to recognise that detriment and harm in digital markets can take multiple forms, and do not only equate to financial loss. Harder to measure harms such as loss of confidence and trust can impact on the development of services.
- Competition regulators need to recognise the way in which both the essential nature of being online and the small number of large companies dominating delivery of online services could limit consumers ability to exercise choice in the way they can in other markets.
- Regulators should offer guidance for how firms and public bodies on how to implement data protection regulations in ways that deliver not just compliance but also confidence through requirements for things like greater clarity, control and accountability.
- Organisations could demonstrate trust credentials by going beyond compliance, for example providing much more than just notification of security breaches as they occur, but information on how what remedies are in place, what preventative actions are now being pursued, and how consumers can claim redress.
- Regulators and policy makers should develop policy that reflects how people actually think and act, and abandon expectations based on unrealistic assumptions which are easily exploited by companies.

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