

31st October 2022



The Rt Hon Gillian Keegan
Secretary of State for Education

cc: **Ms Julia Lopez**
Minister for Media, Data and Digital Infrastructure
Mr Andrew Wood, Chief of staff, Jisc

Letter kindly forwarded by Mr Matt Rodda,
MP for Reading East

*Seeking to give Users Control of
trustworthy personal Data online*

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Dear Mrs Keegan:

Portable Personal Achievement Record / unblocking innovation for the benefit of all

Congratulations on your recent appointment as Secretary of State for Education.

We are writing to you from UCDx, a community interest company created - with support from InnovateUK¹ - to advocate for, and act as the future governance body of, new digital infrastructure for User Control of trustworthy personal Data (UCD). The route to scale starts in Education with, as the lead application, a portable personal achievement record. Our letter is a minor update on one kindly forwarded by Matt Rodda MP to your immediate predecessor on 19th October.

UCD is based on a managed market of Personal Data Services (also known as enhanced digital wallets), likely to be offered in time by the banks as a further step in the Open Banking reforms. Learners will gain from increased convenience, security, privacy and control as they interact with multiple different learning providers and transition into apprenticeships, employment, and between jobs², showing proof of qualifications at each step. Learning providers, and employers, will see lower costs, and will be able to offer better tools for learning and transitions.

The proposal is well supported by national level experts in all relevant fields. Jisc - a charity funded by DfE to provide 'digital solutions for the HE, FE and research communities' - is already involved. Further, and as scale is achieved in education, UCD can contribute to many additional applications, both those - such as 'digital identity' - that fall within the remit of DCMS, and those of relevance to the future of banking, payment systems, and even social networks. A paper describing UCD, with an excellent one-page summary, is attached

Pilots of UCD can be run - at relatively low risk and cost - within a single university, FE college and secondary school. **We do not need significant funding from DfE.** What we do need is cooperation. And learning providers need, as a minimum, to see evidence of such cooperation before being willing to press ahead with the pilots.

But your civil servants decline³ to engage with us, despite approaches over several years and a recent exchange of emails. Instead, they are spending significant sums on Project Titan, an attempt to retrofit new technical concepts - some of which underpin UCD - to the Learning Records Service, a central database containing mainly state-funded qualifications and to which learners do not even have online access. Titan's focus is on the transition from secondary school to FE college. Over the summer, we requested - under FoI - an update on Titan's progress.

The result, copy attached, is not persuasive. While the project team's efforts are undoubtedly well-intentioned, and they may have made some technical progress, there would seem to be a complete absence of necessary strategic thinking about organisational model, governance model, business model, funding model, route to scale and application road map. Nor do they have a clear answer to

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the related 'digital identity' issues. It is in just these areas where UCD excels, introducing a well-regulated market of Personal Data Services, piggy-backed on payment systems, rather than assuming - as is civil servants' habit - that the Treasury will always pay, and that top-down solutions are best.

In our view, Titan is not just contravening the principle that 'government should only do what only government do', but actually causing damage: government is not in a position⁴ to address this area properly, but is now preventing qualified people in the private and third sectors from doing so.

Seen properly, UCD is a necessary complement to LRS, one that can help fix its current access and completeness issues. In the longer term, it may even be possible to scale LRS back, deleting or anonymising some of the data and so helping DfE comply more easily with the GDPR ethos of data-minimisation and privacy-by-design.

We recognise that this is a difficult situation: essentially a start-up, financed by the Treasury through InnovateUK, challenging civil servants as financed more generously by the same Treasury. But step-change innovation is often ignored by the big battalions, who usually prefer minor tweaks to the comfortable status quo.

To resolve the stand-off, and close the innovation loop, may we request that you sponsor a small number of conversations between UCDx and key civil servants in Department for Education? To ensure objectivity, we would suggest that the meetings be attended by one or more independent experts⁵. The deliverable will be a brief consensus report, likely with the message that - now the civil servants are being asked to think more openly and further ahead - there is common ground, and a joint plan of action. If not, then little will have been wasted.

You will see that we have written in parallel to your ministerial colleague Julia Lopez at DCMS, since UCD can also be seen as an advanced scheme under her department's UK Digital Identity & Attributes Framework. You and Ms Lopez may care to sponsor the conversations jointly, but we would stress that you should take the lead: UCD can only start in education.

If a meeting to discuss the issues with you would be useful, please let us know. We offer our best regards, and look forward to your response.



*Text of letter reviewed remotely by
Prof Luckin, and signed on her behalf.*

John Harrison

- Interim lead director of UCDx Community Interest Company
- Founding director of PIB-d Ltd (a potential joint-venture development company for UCD, currently 30% owned by Jisc, a charity leading development of digital in HE and FE)
- Sometime lead assessor for Identity Providers active in DCMS's identity trust framework, and the GDS gov.uk Verify programme.

Professor Rosemary Luckin

- Public-interest director of UCDx Community Interest Company
- Professor of Learner Centred Design at UCL Knowledge Lab.
- Member of the Office for Students' Horizon Scanning Panel
- Founder of 'UCL Educate' - a research accelerator aimed at helping innovators in educational technology develop world-class products and ideas

Annexes

- An intro to the UCD proposal, listing the benefits for education (and banking), explaining the proposed funding and business models, and providing a summary of support from relevant organisations and individuals.
- Response to FoI request re Project Titan, received 30 August 2022.
- Letter from UCDx to Julia Lopez, Minister of State at DCMS with responsibility for Media, Data, and Digital Infrastructure

¹ What we now call the UCD proposal has received grant funding twice from Innovate UK. In 2011 a grant was used to help set-up PIB-d Ltd as a JV development company, part owned by the HE sector (Jisc and a university) and part owned privately. In 2012 PIB-d completed a successful technical feasibility study, but then made itself dormant because public-sector attention in the identity field was clearly going to be dominated by a Cabinet Office project, gov.uk Verify. In 2020, when it was clear that Verify was on its last legs, PIB-d woke-up, promptly won a further grant from InnovateUK, and used the money to set up UCDx, a community-interest-company with a remit to act as an advocate for, and perhaps a future governance body of, the proposed new infrastructure.

² UCD will be particularly useful for workers who swap employers frequently, and need to prove qualifications, official identity and Right to Work to each new employer. Examples include workers in construction, social care, and healthcare/ the NHS.

³ 'But your civil servants decline to engage with us' We have made many approaches:

- a conversation kindly set up in 2019 by Prof Anthony Finkelstein, then HMG's CSA for National Security, with DfE's Chief Data Officer - who showed interest, but did not follow up.
- a letter to then SoS for Education, Damian Hinds, in 2019; his reply deferred to the civil service line
- emails to DfE's then CTO in 2020, after UCD's second grant award from InnovateUK, to which the response was 'it's complicated . . . we may get in touch'
- an email to ESFA's lead in the area, Charlotte Briscall in 2021, to which there was no response, save an invitation from her private secretary to send updates on progress; Charlotte is now DfE's CDTO.
- a second email to Charlotte Briscall on 5 Oct 22: a 'not interested' email was received from one of Charlotte's colleagues, Tom Beresford, on 21 Oct.

⁴ 'Government is not in a position to address this area properly' largely because (i) a good solution should enable learners to manage qualifications earned from both state funded and private sector learning providers and show the result to any party of their choice; and (ii) to be economically feasible, UCD needs to offer many other applications - both person-person, and person-private sector - which are all outside HMG's remit.

⁵ The following individuals are all aware of UCD, and are expert in the relevant fields, but have no other connection with either UCDx or PIB-d Ltd. They may well be suitable to attend conversations between UCDx and civil servants as independent experts.

Steve Pannifer	is the managing director of Consult Hyperion, a well-known firm offering advice and consultancy in the fields of payments, digital identity and transport ticketing.
Del Nadarajah	is a partner at Deloitte, and responsible for their 'Blockchain Lab' which - despite the name - focuses on digital ID and related issues, rather than any single technical approach.
Jon Crowcroft	is the Marconi Professor of Networked Systems in the Computer Laboratory of the University of Cambridge, and was co-investigator on a UK-research-council-funded project which led to the creation of the HAT Community Foundation (https://www.hatcommunity.org/) and DataSwift Ltd (https://www.dataswift.io). The research project developed in parallel to UCDx CIC and PIB-d Ltd, but lacked UCD's insight about business model, funding model, and route to scale (or perhaps the patience required to wait for the right timing).
Carsten Maple	is a Prof. of Cyber Systems Engineering He is the director of research at the University of Warwick in Cyber Security; and - as a fellow of the Turing Institute - co-leader of Turing's work on digital identity. He is aware of UCD and appears supportive.

Note that the two individuals below are also expert in relevant fields - respectively educational technology and privacy - but have kindly agreed to serve as public-interest directors of UCDx CIC, and so are not wholly independent (even though their UCDx roles are unpaid).

Rose Luckin is a UCL Professor and serves as: Specialist Adviser to the UK House of Commons Education Select Committee; Co-founder of the Institute for Ethical AI in Education; a member of the Office for Students' Horizon Scanning panel; and the Director of EDUCATE - a London hub for Educational Technology StartUps.

Phil Booth coordinates medConfidential, which campaigns for confidentiality and consent in health and social care, seeking to ensure that every use of data within and around the NHS and care system is consensual, safe and transparent. Phil previously led NO2ID, campaigning successfully to defeat the introduction of ID cards and other 'database state' initiatives. His work has been recognised by awards from Privacy International and Liberty
