*Draft Digital Policy Framework*

10 June – 5 August 2016

## Introduction

In June 2016, the States of Jersey issued a public consultation on a draft Digital Policy Framework for Jersey. This government strategy document was designed to start a public conversation about how Jersey can grow an efficient government, a diverse economy and a connected society. It covers a range of policy areas including the digital economy, digital skills, telecommunications infrastructure, eGovernment, innovation, cyber security and data protection.

The consultation sought views from all Islanders and businesses on the proposed framework.

It was open for 8 weeks and closed on 5 August 2016. A number of engagement workshops and briefings were run for digital businesses, the wider community and States Assembly members. A focus group was held with members of the Jersey Youth Parliament. The views given within these sessions were fed in as official consultation responses with the agreement of the attendees. Senator Philip Ozouf also conducted a series of online question and answer sessions.

We received 17 official responses to the consultation. Eight responses were from individuals. We received organisational responses from Jersey Financial Services Commission and Digital Jersey. A number of individuals and organisations also sent in confidential responses to the consultation.

In summary, the headline views from the consultation were:

- The majority of respondents wanted government to commit to numerical economic and social targets. We note that this is a positive aspiration, and want to ensure that we develop measurable and appropriate performance indicators that are within the scope of influence of the framework, that help to direct our priorities, and that will effectively measure success.
- All respondents felt similarly strongly about the importance of education and digital skills. Some wanted to see a more coherent digital education

strategy, following on from the Education Department's 'Thinking Differently' strategy, and others felt we should do more to enable skilled workers to relocate to Jersey.

- A large proportion of the digital sector saw the eGov programme as an opportunity to be a catalyst of, and a symbol for, Jersey as a successful digital jurisdiction – and wanted to see this happening at a faster pace.

This document reiterates the questions asked as part of the consultation and provides a summary of the responses given. The full, non-confidential, responses can be found as Annexes published alongside this document.

This document does not have government's reaction to the responses, but we are now carefully considering all of the consultation responses and will address these in the next iteration of the Digital Policy Framework, to be published later in the autumn.

## Summary of Consultation Responses

### Digital Skills for All Islanders

1. In terms of upskilling Jersey's existing workforce to use digital technology, how much responsibility do you think lies with government and how much with the private sector in Jersey? Give details.
2. What do you think the government could do to ensure everyone in Jersey has the means to access the internet? Give details.
3. Do you think this section strikes the right balance between growing Jersey's domestic digital skills and attracting off-island talent to meet short term demand? Give details.
4. Do you have any further comments that you would like to make on this strategic goal? Give details.

### Responses:

- Three respondents stated that government has a limited role in upskilling the existing workforce to use technology. Instead they thought this should be the responsibility of the private sector. However, Digital Jersey suggested that government should continue to fund initiatives to improve the workforce's

digital skills, such as those currently offered through Jersey Library and Digital Jersey.

- Various respondents praised the Digital Jersey Coding programme and Jersey Coders, supported by Digital Jersey. One suggested that government provide additional funding, on top of the support already given to Digital Jersey, to expand The Digital Jersey Coding programme, as demand was outstripping the number of places available.

- Four respondents felt that not enough emphasis was given in the school curriculum to giving people the skills to <u>make</u> technology, as well as use it.

- One respondent suggested that the Education Department should publish a new digital skills strategy, since the Thinking Differently strategy expired in 2015, and that this should be communicated within the next version of the framework.

- Respondents disagreed on how effective the availability of ICT and coding education at schools was in setting up young people for careers in technology. Some thought this would help to foster an interest and give students a key understanding of technology, while others felt it could dampen creativity and risk teaching obsolete toolsets.

- Two respondents suggested that government should provide grants to Higher Education applicants wishing to study science and technology, and then actively support them to return to the Island – although no specific details were given.

- Three respondents suggested that there was a lack of relevant postgraduate education opportunities in Jersey, and that this was limiting Jersey's access to digital talent.

- Some respondents, including those from the Jersey Youth Parliament, felt that teachers were often ill-equipped to make best use of technology, while ICT teaching faced inherent difficulties in remaining relevant as technology is a fast-developing area.

- Four respondents believed that digital career options should be made more visible, and stated that they would welcome closer working between schools and Digital Jersey to showcase the variety of job options in the digital sector.

- Three respondents praised Jersey Library for its crucial role in promoting digital inclusion through its technology initiatives. One respondent highlighted that eGov would mean more focus may be needed on digital inclusion to maximise the take up of online participation.

- Respondents were unanimous in their agreement that importing talent from off-island would be essential in growing the local digital sector. However, three respondents questioned government's assertion that this would only be short-term, pointing to the finance sector, which still requires migration to meet skills demands.
- Seven respondents suggested that the way Jersey currently grants work licenses will not work for the digital sector (particularly for entrepreneurs), and that this process needed to be reconsidered.
- One respondent suggested Digital Jersey needed to do more as an outward-facing body to attract talented people (and business) to the Island, as Jersey Finance does for the finance sector.

### Resilient Digital Infrastructure

5. Do you think that Jersey should commit to a universal service obligation for broadband access? If so, what do you think would be appropriate? Give details.
6. Do you have any further comments that you would like to make on this strategic goal? Give details.

### Responses:

- Four respondents commented on the concept of introducing a broadband Universal Service Obligation for Jersey, with all seeing this as a positive move. One suggested that introducing a download and upload speed USO would send a strong message that Jersey does not want connectivity speed to stand in the way of technological development, while another suggested that we should guarantee a minimum access speed to every property. There was no consistent view given on what an appropriate speed for the USO might be.
- The majority of respondents agreed that JT's fibre to the home project was a very positive step forward for Jersey.
- Most respondents that commented on the JT fibre project asserted that it had been too slow to deliver rollout. There were also suggestions that JT should have prioritised businesses for early rollout, and concentrated on the St. Helier area.
- One respondent from the digital sector was concerned that imposing data-usage limits in broadband contracts could act as a disincentive for

- businesses with high data use, and prevent businesses from offering free Wi-Fi to customers and clients.
- One respondent suggested that work should be done to ensure the cost of on-island connectivity was not acting as a barrier to technology businesses wishing to locate to Jersey.
- Two respondents suggested that government should encourage the development of more on-island servers to take pressure off our off-island infrastructure.
- A number of digital sector respondents suggested that government should be more actively setting out a roadmap for infrastructural changes including 5G.
- Two respondents suggested that asymmetrical internet speeds were acting as a disincentive for local digital businesses, and the idea of more affordable symmetrical models should be explored.
- Some respondents felt that the Channel Islands Competition and Regulatory Authorities (CICRA) should be empowered to better hold internet service providers to account, for instance on quality of service provision, on service latency and on provision of advertised internet speeds.
- Three respondents, including Digital Jersey, wanted to see free public Wi-Fi in Jersey, or at least in St. Helier, but did not give suggestions on how this might be delivered or funded.
- One respondent was concerned that Jersey does not do enough to publicise its excellent digital infrastructure both locally and internationally, and they also believed this was compounded by public disagreements between CICRA and JT, which they felt had a detrimental impact upon the public's perception of the availability, accessibility and connected nature of the Island.

**Government Digital Transformation**

7. Can you identify any barriers that Islanders may face in using government services when more of these are brought online? Give details.
8. How do you think government could make Islanders more comfortable with the idea of government managing more of their data due to digital transformation of services? Give details.

9. Can you identify any public sector services that you would particularly like to see moving online in the future? Give details.
10. Do you have any further comments that you would like to make on this strategic goal? Give details.

**<u>Responses:</u>**

- The most frequent comment was in relation to what respondents felt was the slow pace of the eGov programme. They wanted to see more transparency over progress, and generally quicker execution speeds.
- One respondent suggested that Jersey did not need to worry about a potential 'digital divide' where older Islanders did not use or have access to technology as they could be helped by younger relatives. However, another respondent said more should be done to ensure all people had the ability to access and use online government services, particularly older Islanders.
- Two respondents emphasised the importance of ensuring that the eGov programme was fully aligned with Public Sector Reform activity.
- One respondent remarked that the cost of developing technology for eGov does not scale with the number of customers, but rather with the complexity of the solutions, which in Jersey will be similar to the complexity of those in the UK. The respondent suggested that Jersey should leverage its agility to succeed in areas such as enterprise architecture and digital ID.
- Three respondents highlighted a perceived cultural resistance within government to digital transformation, and they believed this was holding back progress in the eGov programme.
- When asked what government services people would like to see making the move to digital, respondents suggested: change of address, income tax statements, parking payments, appointment bookings more generally, land registry services, passport applications. In addition, a couple of respondents suggested that the individual services themselves were less important than ensuring a truly cross-department, user-focussed approach was taken, with strong back-end functionality (particularly effective and safe cross-department data sharing).
- Three respondents welcomed government's recent progress in open data, but wanted to see more activity in this space.

- Two respondents stated that it was crucial for government to clearly communicate the safety and benefits of using online government services to Islanders, to calm any concerns over cyber security or rogue use of data.
- Two respondents suggested that government could make islanders more comfortable with the idea of government managing their digital data by being more transparent about how this data is used.
- One respondent suggested that government should make a 'digital by default' declaration.
- One respondent suggested that driving licences and Population Office registration cards should be combined into a single digital ID from which the physical form carries the same weight as an EU identity card and the digital form could be used for online transaction with government and other entities.
- Two respondents wanted to see government services with pre-populated forms to make the process of interacting with government easier for the citizen. One also suggested that services should be designed for modern devices, such as for smartphones and tablets.

## A Diverse and Innovative Digital Economy

11. Do you think this section strikes the right balance between nurturing existing local digital businesses, and attracting inward investment? Give details.
12. What do you think are Jersey's main selling points, and main barriers, for digital businesses looking to relocate? Give details.
13. What are the barriers to local businesses making better use of technology (e.g. e-commerce / digital marketing). Give details.
14. Do you have any suggestions for how government procurement policy could do more to encourage growth in the local digital economy, without compromising on cost, quality and capability? Give details.
15. Do you have any further comments that you would like to make on this strategic goal? Give details.

## Responses:

- There was no consistent view as to what government's role should be in growing Jersey's digital sector, and in encouraging all sectors to make

better use of technology. Some felt that government should provide more direct funding for start-ups and / or businesses with innovative ideas, while others felt it should concentrate on developing digital infrastructure and digital skills policy while clearing the road for businesses to operate in a clear and effective regulatory environment.

- The majority of respondents from the local digital industry stated that this was the most important section of the framework. A number of respondents suggested that this should be the overarching goal, with the other sections sitting beneath this and feeding into it.

- Eight respondents wanted a clearer numerical commitment from government on what its ambitions were in respect to growing the digital sector. A couple of these respondents suggested a '% growth in GVA' target / KPI.

- There were a number of requests for direct government funding and support, but a lack of consistency and detail on what this might look like. Suggestions included:
  - Introducing cash incentives for start-ups looking to relocate to Jersey
  - Dissolving the Jersey Innovation Fund and using this money to provide grants for start-up technology businesses
  - Setting up a scheme whereby digital businesses compete for government grant funding from a pot of money, with applications assessed by world-class technology leaders
  - Changing government procurement guidelines to give more weight to local technology suppliers for digital government projects
  - Introducing Research and Development tax credits to incentivise investment in innovative enterprises in Jersey
  - Introducing a match funding and risk investment stimulus scheme, as outlined in Digital Jersey's response

- A few respondents felt that this section should more clearly target growing Jersey's capability to develop and export technology products, although it was unclear from the responses what government's role in this would be.

- Four respondents wanted to see more visibility and action over the implementation of the Innovation Review Action Plan.

- A couple of respondents also identified crowd-funding as a potential source of funding, and asked government to be more proactive on providing enabling legislation for alternative funding vehicles.

## A Favourable Environment for Emerging Technologies

16. What role does government and / or Digital Jersey have, and what steps should they take, in keeping track of developments in emerging technology areas? Give details.
17. Other than those mentioned in the draft framework, are there any emerging technology areas that would be appropriate to Jersey's technology agenda, and that government should be actively tracking? Give details.
18. Do you have any further comments that you would like to make on this strategic goal? Give details.

### Responses:

- A few respondents from the digital sector felt that government was unwise to focus on a select group of emerging technology areas – such as FinTech and MedTech. They argued that 'backing winners' in technology was doomed to failure.
- However in contrast, a similar number of other respondents, including Digital Jersey, agreed that supporting Digital Jersey to grow the identified sub-sectors that are better suited to Jersey's strengths would improve the Island's chance of growing the local digital sector. These respondents also said it was important that Jersey maintained the ability to be responsive to new technology areas as and when they develop.
- One respondent suggested government or Digital Jersey should commission 'thought leadership' research into particular technology areas to determine how they might be of use to Jersey, e.g. distributed ledger technology.
- Two respondents suggested that government should be much quicker when it comes to putting in place enabling legislation for emerging technologies. An example given was government's virtual currency legislation that took "too long" to develop and finalise.
- Three respondents identified the need to have a specific strategy for directing foreign businesses to set up in, or relocate to, Jersey.

- A number of respondents, including Digital Jersey, wanted government and JFSC to create a regulatory sandbox to enable businesses to test innovative products, services, business models and delivery mechanisms in a live environment – particularly those operating in the FinTech and RegTech space.
- One respondent suggested that any new regulation or legislation that was related to anything digital should be sense checked by Digital Jersey.
- One respondent wanted to see Government and Digital Jersey being more vocal / visible about the successes taking place in MedTech in Jersey.

### A Responsive Regulatory Environment

19. What do you consider to be the right balance between aligning Jersey's regulation and legislation with international standards, and seeking to differentiate ourselves? Give details.
20. What is your experience of Jersey's IP regime? Is there more that government could do to make it friendly to digital innovation? Give details.
21. Do you have any further comments that you would like to make on this strategic goal? Give details.

### Responses:

- A couple of respondents stated that Jersey had the opportunity to have the best of both worlds when it came to regulatory independence vs. international interoperability.
- One respondent thought that there was a law officer resourcing bottleneck in government, slowing down the process of writing and updating legislation.
- A few respondents felt that the process for setting up a new business, particularly for foreign nationals, was extremely cumbersome and needed to be streamlined.
- Two respondents felt that government needed to take an official line on modern economic vehicles, such as Air BnB, far more quickly than to date to provide confidence and certainty.
- A couple of respondents stated that government's approach to regulation / legislation should be iterative rather than final.
- Three respondents felt that Jersey's IP regime was not transparent, and suggested that clearer signposting was needed.

## A Robust Cyber Security Framework

22. What do you think the most appropriate role for government is in helping to ensure an appropriate level of cyber security in Jersey? Give details.
23. Do you have any further comments that you would like to make on this strategic goal? Give details.

## Responses:

- Two respondents emphasised that government cyber security credibility was essential for the success of eGov. Noting that if government wants to encourage more people to make use of online services, it will need to handle more personal data in electronic format, so strong internal cyber security will be paramount.

- Respondents from the digital sector said they would be concerned if there was any intent to impose a 'Great Firewall of Jersey' – e.g. centralised rules on network access. Instead they feel government's role should be to educate the private sector and the public to take cyber security more seriously.

- Most respondents that addressed cyber security highlighted the fact that it is about much more than network security, but is also crucially about people and places. Any government strategy should set out how they plan to encourage education of people in cyber security.

- One respondent suggested that there may be a need for regulatory encouragement in some areas, e.g. a basic level of cyber security as a licensing requirement for certain parts of the financial services sector.

- One respondent suggested that cyber threats and best practices should be shared both in the public and private sector – and that government could play a role in facilitating this information sharing.

- One respondent suggested that it would be useful as an awareness raising measure for law enforcement agencies to make public the nature and extent of cybercrime affecting local individuals and businesses.

- One respondent did not believe that government should invest in internal cyber security resources, but should rather move its legacy infrastructure to cloud-based services where they would benefit from experienced cyber staff constantly monitoring the environment.

### A Secure and Effective Data Protection Framework

24. Do you agree with government's ambition to ensure adequacy with the GDPR and New Directive? Give details.
25. Do you believe that there would be benefits in working with Guernsey on data protection policy? Give details.
26. Do you have any further comments that you would like to make on this strategic goal? Give details.

### Responses:

- There was overwhelming support for government's ambition to align our data protection regulation with the EU's GDPR, although two respondents did express some concern over sticking to the GDPR regulation too rigidly, and stated they would prefer to see a more flexible approach to aligning with GDPR.
- One respondent wanted clarification on Jersey's position on breach notifications, while another suggested that Jersey should implement a "breach notification law" for Jersey resident companies.
- Most respondents agreed with government's ambition to work closely with Guernsey on data protection policy, with one cross-island businesses saying a unified approach would benefit their operations.

### Other comments

27. Do you have any further comments in relation to the draft Digital Policy Framework that you feel have not been addressed in this consultation? If so, give details.

Minister/department response to this feedback:

## Next Steps

We are grateful to all the respondents, and to those that attended the various events, for their valuable input.

The States of Jersey has committed to releasing a new version of the framework in the autumn. In the meantime, the Chief Minister's Department will work with

departments across government and its agencies to develop this new version in light of the feedback received through the consultation.

The States of Jersey will also work with Digital Jersey to develop a series of measurable key performance indicators and an action plan with a series of specific actions to progress the objectives of the framework.

Supporting documents attached:

Appendix 1 – Digital Jersey response to the consultation

Appendix 2 – Jersey Financial Services Commission response to the consultation

Appendix 3 – Output from digital businesses feedback sessions

Appendix 4 – Output from Jersey Youth Parliament focus group

Appendix 5 – Terry Cox, Bootstrap Ltd response to the consultation

Appendix 6 – Charles Robertson et al. response to the consultation