

## **Labour Party – written evidence (DAD0096)**

### **1. How much of your online campaign strategy relies on the organic spread of your content and how much relies on paid promotion? To what extent do you rely on campaigning material created by activists over which you have no control? What reputational and other risks does this pose?**

The Labour Party uses both organic and paid social media content to promote our message. The exact split is difficult to determine as content crosses both of these definitions. However, organic as opposed to paid content have very different focuses. Organic content largely reaches people who follow our accounts and/or are connected to people who follow our accounts. Therefore, organic content serves a better function to engage, inform, and mobilise people who, by the nature they follow us, are likely more politically engaged. Paid advertising, on the other hand, helps us reach beyond this organic bubble to people who perhaps don't follow us or regularly engage in politics. Therefore it serves a better function to reach target voters. As an internal strategy, we do not rely on user-generated content which we have no control over. There is naturally, like any brand or organisation, an inherent risk with unauthorised use of the brand identity. The Labour Party has processes in place to take action against members who breach the standards we set for engagement on social media.

### **2. How important is data from companies that monitor the public's online activity (either from social media companies or from data brokers) to your data operation? Has this changed significantly in recent years?**

The Labour Party does not purchase any information from any outside companies based on the public's online activity. We primarily use our own data (voter ID), demographic data and usually some kind of modelled propensity scores (e.g. predicting how likely someone might be to support Labour).

### **3. How much do you rely on the current GDPR exception for the use of data for democratic engagement for your use of individual's data? What would be the effect of revisiting this exception in light of increased public concern?**

The Labour Party relies on a number of lawful bases for processing personal data under the General Data Regulation and Data Protection Act 2018. In accordance with the statutory provisions and guidance from the regulator, the Party has identified the most appropriate basis for processing based on the specific task at hand.

During the passage of the Data Protection Bill through Parliament in 2018, the Government tabled an amendment which specifically made clear that the "public task" lawful basis for processing personal data pursuant to Article 6(1)(e) GDPR includes the processing of personal data that is necessary for an activity that supports democratic engagement (now Section 8 of the Data Protection Act 2018).

The clause provides a specific lawful basis (rather than an "exception") for the processing of non-special category personal data and supplements the Schedule 1 provisions of the Data Protection Act 2018 that provide the "public task" lawful basis for processing special category data relating to political opinions.

It is clearly a matter of public interest that political parties are able to engage with voters as part of the democratic process. It is also absolutely necessary for political parties to be able to process personal data as part of any modern campaign in order to do that. We consider that the Section 8 and Schedule 1 Part 2 Para 22 public task provisions set out in the DPA 2018 are the most appropriate lawful basis for a significant amount of the data processing we undertake.

We are firmly of the view that a specific statutory basis for processing personal data (both non-special category and special category) is an essential means of providing the necessary clarity and assurance to political parties, and indeed to individual data subjects on the terms on which such data may be lawfully processed. It is not at all the case that the current statutory provisions provide an "exception" for political parties. Rather, the necessity of such processing must be carefully considered and demonstrated to be necessary in proportion to a party's legitimate aims. That assessment must be documented by the Data Controller in a detailed Data Protection Impact Assessment. In our view, the existing legislative provisions provide an appropriate basis for a significant amount of our data processing and sufficient safeguards for data subjects.

#### **4. What would be the effect of Facebook limiting data targeting to postcode, age and gender, in a similar manner to Google, on your social media strategy?**

Democratic engagement is one of the most important functions of a healthy democracy. Digital communications have allowed political parties to speak to and engage voters like never before. And this has, in the exception of organisations who have been intentionally malicious, been a positive step in improving democratic engagement. Limiting the options that political parties have to undertake this vital democratic engagement would be a net loss to the democratic process. Political parties are more restricted and monitored in our targeting of voters than any other corporate or non-political organisation. Further disruption to how political parties communicate with voters would likely have three main effects.

Firstly, reduce the level of political engagement, as meaningful and personalised political communications would become virtually impossible. Secondly, the cost of advertising would increase as a result of being unable to identify small segments of people, therefore advertisers would need to include more people who may not even be able to vote at a significant cost increase. Thirdly, the net result would be that the balance would swing significantly towards parties with more income and significant amounts of available funds to deliver a vastly expanded and imprecise campaign, excluding smaller parties.

#### **5. What changes do you expect to happen in online campaigning in the next five years? How will you ensure that your Party maintains public trust in adapting to new technological opportunities?**

Looking at digital campaigns in 2015, it would have been impossible to predict what the 2019 General Election would look like. For instance, TikTok launched in 2017 and already has millions of users. It's conceivable that TikTok will become a new platform for future political engagement of voters. But to have predicted this in 2015 would have been impossible. The important thing to do to maintain public trust is to provide, where possible, as much information about political advertising and use of digital platforms to ensure that there is an understanding of how data is used and how they are communicated to. While the Labour Party can take steps to do this, the primary

and significant works need to be done by the social media platforms, and other emerging technologies to gain meaningful consent and educate their users as well.

**6. Should political advertising (both digital and traditional) fall under the same constraints as do all other forms of advertising?**

In many ways, political digital advertising is already far more regulated and constrained than non-political advertisers. Non-political advertisers do not face blanket bans from channels, such as Twitter; or heavily reduced targeting options such as Google; or need to provide breakdowns of political adverts on a public database such as Facebook, Google, and Snapchat do. On top of this, all political donations and spend are heavily regulated and accounted for by political parties and submitted for public scrutiny. These are constraints that no other non-political brand must comply with.

In terms of data, targeting, and the secrecy of this process – a brand such as a car company needs to be less transparent in who they are targeting for a purchase than we do for engaging people in the democratic process.

**7. If just one thing could be done to improve public trust in election campaigns (by parties, platforms or anyone else) what would it be?**

While the approach that Facebook has taken to political advertising transparency has not been perfect, the broad approach has been welcome. It balances the need for transparency in what is being advertised, spent, and whom is targeted with the advertiser's need to not disclose so much as to make strategies and proprietary targeting completely exposed. This approach would be welcome across all platforms in making political advertising more transparent to the public and therefore improving trust in the process overall.