

Sly data collection: this time it's personal

Sneaky sign-up processes and a need-for-speed desire to move on can reveal more than you expect



Olivia Whitcroft is principal of English law firm OBEP (obep.co.uk). She's not yet been thrown a surprise birthday party.

I'm sure this will be a familiar story. I'm trying to sign up for an online service, let's say a chat facility, and the process involves stepping through a series of pages, giving me all sorts of features and forms and terms and cakes and whatever. I don't want to spend a long time carefully

studying these – I just want to get onto the chat service – so I fill in the requested details and hit Next repeatedly, without paying much attention.

Once I'm finally signed in, I find my experience is forever hounded by helpful ads for married professionals in the Surrey area – and I later discover that the provider has also emailed all my friends and clients welcoming them to its service, as personally recommended by Olivia Whitcroft.

As both a consumer and a data-protection lawyer, this type of practice bothers me. I realise that information about our characteristics, relationships and behaviours is valuable to businesses. It helps them to build customer profiles, tailor their services and ads, spread the word about their glorious offerings and sell it all on to others. And I'm happy to let a supplier know a few things about me, particularly in exchange for a free service.

Sometimes, however, I feel I'm being pushed to provide more information than is appropriate, or that I don't clearly understand what's going to be done with my data. My example above is imaginary, but we've all seen real services where a time-consuming and complex sign-up process encourages the user to click past important terms and options. Another trick

is to use ambiguous wording or hidden explanations. How about: "We won't share your details without your permission", with a button stating "OK"? If I click the button, am I merely acknowledging that I've read the statement, or will it be taken as permission to share my details? Or perhaps a pop-up requests me to enter my email address, which I assume is my username for the service, but some small print explains that by entering it I'm giving consent to access my email account and extract my contacts.

I'm fascinated by the justifications I see for collecting biographical information, such as my date of birth. "So we can tailor our services and advertising" is a common explanation. Is the tailoring really so specific that it takes into account the precise day I was born, rather than, for example, an age range? It seems unlikely – unless they're throwing me a surprise birthday party.

Other times, we're told that such information is "needed for security purposes". My date of birth could be a useful identifier, but less intrusive alternatives are usually sufficient, and for authentication a simple password would be more difficult for an imposter to discover. Another justification I've seen is "to confirm you are over 18 years of age". Why not ask me to confirm that directly? If a wily youngster wants to lie about his age, asking for a specific date of birth is at best only going to slow him down a little.

Of course, it's sometimes appropriate to collect personal information. Our data-protection and privacy laws aren't intended to prevent suppliers from collecting and analysing relevant data, or from getting value from it. But they do seek to ensure that this is achieved in a transparent way and that, where appropriate, users have a genuine choice as to whether or not they want to participate.

At present, both businesses and consumers need to do better. Providers ought to start by asking themselves what exactly they need to collect, and why: it isn't appropriate to try to extract every user's life history, then keep the information sitting around (waiting to be stolen) just in case it becomes useful some day. They also need to communicate their use of data clearly to customers, so we can make an informed decision about whether or not to proceed.

As consumers, it's our responsibility to resist the urge to be click-happy, paying attention to what we're agreeing to. If we're ready to walk away from arrangements that seem unclear or excessive, maybe we'll give businesses a push to change their tricky information-collecting methods.

That said, it is possible to be too suspicious. I recently took up an online offer for a free laptop accessory, and a little later received a phone call from the supplier, who wanted to ask some questions about me and my purchasing habits. Since the product was free, I felt it was fair enough to

help them out, but after a while I became exasperated by the amount of personal information I was being asked to provide. When I was asked for my full home address and postcode, I decided it was time to push back, and demanded to know why this was needed. "We need to know where to send the accessory" was the polite response. Ah yes.

olivia.whitcroft@obep.co.uk

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