Policy Delivery overview

Presentation to International Enforcement Co-ordination Event
4 April 2014

Steve Wood
Head of Policy Delivery

Department's aims

- Support the 5Es – educate, enable, enforce, engage, empower

- Develop outputs that explain the ICO's policy position on the proper application of information rights law and good practice

- Policy Delivery also develop outputs to guide and influence the ICO's overall policy direction

- Keep the ICO's case outcomes, advice and guidance consistent and up-to-date with the law, good regulatory practice and technological change

- Defending ICO policy positions in the FOIA Tribunal and Higher Court appeals process and intervening in relevant DP cases in the Higher Courts

Key outputs

- External guidance

- Codes of Practice

- Research

- Policy briefing papers

- Policy knowledgebase

- Internal policy and legal advice service

- Case review and sign off

- Internal training materials
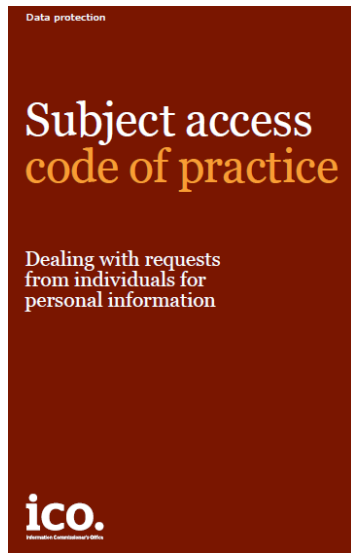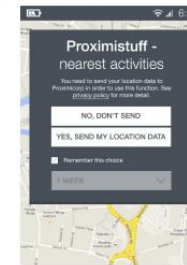
Examples of policy products

Data protection

Subject access code of practice

Dealing with requests from individuals for personal information

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The Guide to Data Protection

How much do I need to know about data protection?

☐ A little
☐ A lot
☐ Nothing
☐ Don't know

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Figure 3: example of a just-in-time notification.

Proximistuff - nearest activities

You need to send your location data to Proximicorp in order to use this function. See privacy policy for more detail.

NO, DON'T SEND

YES, SEND MY LOCATION DATA

☐ Remember this choice

- Remember that if your app passes data onto another organisation, this will require adequate information to be provided too. This includes networks that provide Online Behavioural Advertising (OBA); in fact, these networks may impose a contractual obligation for you to inform users or gain consent.
- If your app is supported by advertising make this clear to your users and give information relating to any analytics you might have included within the app. One alternative is to offer a paid-for version of the app with advertising removed.

Remember that the information you provide to comply with the DPA can also contribute to your compliance with other laws. For instance, it may be important to ensuring your contract terms are fair. See the section 'Some other important legal considerations'.

If you are acting as a data controller, it is fundamental that you identify yourself and give your app users a simple means to contact you. The major app stores allow developers to include an email

Privacy in mobile apps   16
December 2013 v1

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Site Actions ▾

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Policy Delivery knowledgebase   About   Contact team

ICON > Policy Delivery knowledgebase > **EA/2012/0212**

Browse by
- Section/Regulation
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FOI appeal summaries
- First Tier Tribunal
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-- FOI 2010
-- FOI 2009
-- FOI 2008
-- FOI 2007

POLICY KNOWLEDGE BASE – Tribunal decision

DPA :	**Section / Regulation:**	**Date of IT decision :**	**IT Reference :**
DPA	S55A	21 August 2013	EA/2012/0212

Parties :
Scottish Borders Council (Appellant)
The Information Commissioner (Respondent)

Summary of IT Decision :

The First-Tier Tribunal has issued its decision in the Scottish Borders Council monetary penalty notice case – the decision can be found on the tribunal's website here. The background to the case is that the ICO had issued SBC with a monetary penalty notice requiring it to pay a penalty of £250,000. The penalty was issued in circumstances where a data processor, appointed by SBC to digitise its pension records, had ended up placing the hard copies of the records in the post box bins at Tesco and another supermarket. In total about 1,600 files had been disposed of in this way. SBC appealed against the imposition of the penalty to the Information Tribunal. The Tribunal held that the penalty was unlawful and, indeed, that the Commissioner had no power to issue a penalty under s. 55A DPA. This was because, whilst SBC had seriously contravened the DPA, the facts and circumstances of the case were such that the contravention was not of a kind likely to cause substantial damage or distress. Thus, an essential precondition for the engagement of the Commissioner's power to issue a penalty under s. 55A had not been met. (This summary was created by Anya Proops of 11 KBW and is taken

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Implications of the European Commission's proposal for a general data protection regulation for business

Final report to the Information Commissioner's Office

Prepared by

London Economics

May 2013

Structure of policy delivery

- Policy team (guidance, advice, training, projects and research)

- Legal team (legal advice and appeals)

- Technology team (technology advice, guidance, IT lab)

- Approx 30 staff

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Policy – how we develop it

- Information Rights outcomes we are seeking

- Policy Methodology

- Increased emphasis on measurement
  - Use of new web stats
  - Surveys
  - Stakeholder input, working with SL
  - Other intelligence e.g. helpline referrals to guidance

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ICO Policy methodology

Any questions?

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