

Guidance

FoI update

We have recently published a [FOI self-assessment toolkit](#) to help public authorities respond to Freedom of Information requests as organisations prepare to recover from the coronavirus pandemic.

We have updated our guidance about [refusing a request](#), and have changed the following sections: *when you can use an exemption to neither confirm or deny you hold information, if to do so would disclose personal data*; and *when you can refuse a request because it contains personal data*.

We have also updated our guidance on [section 27 - international relations](#).

Data protection and coronavirus information hub

Given the fast moving pace of the need to process personal information in relation to the UK's response to the health crisis, we have established an [information hub](#) on our website that will help individuals and organisations navigate data protection during this unprecedented time. This is a live site as we'll be adding new and relevant information as the pandemic continues.

Age appropriate design: a code of practice for online services

The code came into force on 2 September 2020, but there will be a 12 month transition period before it is enforced. The [Executive Summary](#) provides a quick overview with links to the substantive sections.

Regulatory sandbox

The ICO is re-opening the regulatory sandbox, its free service, designed to support organisations using personal data to develop innovative products and services. This year the projects submitted should focus on one of two themes: children's privacy or data sharing. More information about the nature of projects for consideration can be found [here](#).

Subject Access Request Code of Practice

Following on from our consultation on subject access rights that concluded just prior to lockdown, our final guidance is almost ready for publication and should be on our website later in the Autumn.

Data Sharing Code of Practice

While we've been promising our Data Sharing CoP for some time now, it looks like there has been movement on the political front to enable us to publish our long-awaited guidance later in the Autumn.

Data Protection and Brexit

As we near the end of the transition period for leaving, please dip into our [guidance](#) pages which will be updated as necessary to reflect developments as they emerge.

Action we've taken

Civil Monetary Penalties

The majority of Regulatory Action in respect of CMPs has been in respect of marketing and breaches of PECR. Since the pandemic took hold in the UK, the ICO has taken a deliberate stance of 'regulatory forbearance', in that we have not moved to regulatory action with those controllers whose focus necessarily has been the frontline of tackling the crisis. As the UK moves to a more controlled state in respect of controlling the spread of the virus, we'll review that stance to shift back to our normal mode of operation. Controllers should, therefore, review their current operations to ensure that information rights activity is appropriately prioritised.

The ICO

2020 Annual Track survey results

Each year the ICO commissions an [Annual Track Survey](#) of over 2,000 people to help us understand what people think about data protection and freedom of information, as well as giving us a greater understanding of how people look to utilise their rights. The results suggest that there is a good awareness of rights, such as being informed about the use of your personal information, though awareness of rights to influence that data use appears to lag behind a little. Public trust remains fairly consistent – the proportion of people with high trust has dropped a little, but the proportion of people with low trust has reduced too.

Codes of Conduct

We are now in a position to provide advice and support for controllers wishing to explore establishing Codes of Conduct for specific areas of activity. We welcome informal discussions with organisations as part of the development of a code of conduct and prior to formal submission. If you wish to discuss how this might work for you then please do get in touch at: codesofconduct@ico.org.uk.

Change at the Scotland Office

The ICO's Scotland Office is on the move! From November, we shall occupy offices at the new UK Government Hub near Waverley Station. Our telephone numbers and email addresses will remain the same but our new postal address will be Queen Elizabeth House, Sibbald Walk, Edinburgh EH8 8FT.

Last, but not least, after 13 and a half years at the ICO, Maureen Falconer has decided to retire at the end of this year to take up the equally demanding role of being a more full-time Grandma! It is hoped to have her replacement in post before she leaves and we'll keep you updated on how that goes.

Contact the Scotland team

Maureen H Falconer

Jenny Brotchie

Stephen Peacock

Dominique Mitchell

Anne Gordon

General enquiries

0303 123 1115

Scotland@ico.org.uk

Regional Manager - Scotland

Senior Policy Officer

Senior Police Officer

Lead Policy Officer

Advice Officer