

## Non-qualifying Regulatory Provisions Summary Reporting

**Regulator:** Information Commissioner's Office

**Business Impact Target Reporting Period Covered:** 8 May 2015 – 26 May 2017

<b>Excluded Category</b>	<b>Summary of measure(s), including any impact data where available</b>
A – EU and International	<p>We have produced guidance documents for business to explain the requirements of the new EU General Data Protection Regulation (GDPR) and we have submitted QRP Assessments for these.</p> <p>None of the changes of European origin place additional burdens of business beyond those required under legislation of EU origin ie no gold plating has occurred.</p>
B – Economic Regulation	No new activities/ actions
C – Price Control	No new activities/ actions
D - Civil Emergencies	No new activities/ actions
E – Fines and Penalties	No new activities/ actions
F – Pro-Competition	No new activities/ actions
G – Large Infrastructure projects	No new activities/ actions
H – Misuse of Drugs/National Minimum Wage	No new activities/ actions
I – Systemic	No new activities/ actions

Financial Risk	
K – Industry Codes	No new activities/ actions
L1 – Casework	<p>No activities listed in this section represent a change in the burden of regulation placed on business, except where these result from a separate qualifying regulatory provision that has been assessed</p> <p>Our regulatory activities which can be classed as 'casework' include requests for assessment under section 42 of the Data Protection Act, enforcement work, audits and a helpline and written enquiries service. In the period May 2015 to date, the numbers of these relating to businesses were as follows:</p> <p>Requests for assessment: 4797</p> <p>Enforcement work: 481 cases</p> <p>Audits:  Full audits - 3  Undertaking follow-ups – 7  Information Risk reviews – 3  Advisory visits – 138</p> <p>In January 2016 we published a <a href="#">Data Protection Self-Assessment Toolkit</a> on our website. This enables organisations, particularly SMEs, to carry out a basic self-audit, in order to identify areas they need to consider in relation to data protection, such as privacy notices and privacy impact assessments. We regard this as a form of audit activity, rather than guidance.</p>
L2 – Education, communications and promotion	<p>During this period we have published a number of videos, webinars and conference recordings on data protection matters. We consider that these fall within the category of education, communications and promotion, since they are intended to raise awareness of DP issues and provide a record of our events, rather than to impose any obligation or requirement on businesses.</p> <p>These are as follows:</p>

Name	Type	Time
Logging, tracking, movement and storage of manual records in the health sector	Webinar	33:56
Q&A session	Data Protection Practitioners Conference (DPPC) recording	41:46
GDPR prep panel – third sector	DPPC recording	53:50
GDPR prep panel –public sector	DPPC recording	59:24
ICO international strategy	DPPC recording	27:51
GDPR prep panel – private sector	DPPC recording	1:01:02
J. Trevor Hughes speech	DPPC recording	24:28
Rob Luke speech	DPPC recording	4:16
Elizabeth Denham speech	DPPC recording	20:47
Data protection for the education sector	Webinar	51:07
Elizabeth Denham speech	Fundraising Regulatory Compliance Conference (FRCC) recording	24:09
Paula Sussex speech	FRCC recording	14:38

	Gerald Oppenheim's speech	FRCC recording	21:17
	Henry Rowlings speech	FRCC recording	12:04
	Emma Malcolm speech	FRCC recording	6:43
	Questions to panel	FRCC recording	1:02:39
	Closing remarks	FRCC	10:12
	Data protection for SMEs	Webinar	47:33
	Data Protection on the move	Webinar	31:24
	Can you afford a data breach	Webinar	38:40
	Cyber security	Webinar	44:31
	Data protection for law firms	Webinar	41:18
	Record management for the public sector	Webinar	46:43
	ICO data protection toolkit for businesses and organisations	Film	0:23
	Encryption scenarios –USB devices	Video	0:20
	Encryption scenarios – mobile devices	Video	0:21
	Encryption scenarios – email	Video	0:20

	Enforcement raid	Video	0:23
	Enforcement raid	Video	0:31
	Handling personal data tips for GPs	Webinar	1:04:38
	Introduction to GDPR	Video	19:02
	Workshop G seminar – consent	Recording	29:19
	Record management and data retention	Recording	15:57
	Subject access request	Webinar	58:44
	Direct marketing for charities	Webinar	25:28
	<p>We hold an annual conference for data protection practitioners each Spring which is attended by a cross section of businesses, and we also organise other awareness-raising events relevant to business, including an SME Data Protection Conference in April 2016.</p> <p>None of the material produced creates a new regulatory standard that businesses are expected to follow and attendance at educational and promotional events is not compulsory.</p>		
L3 – Activity related to policy development	<p>From February to March 2016 we carried out a <a href="#">consultation</a> on our draft Code of Practice on privacy notices. The final version of the Code was published in September 2017 and we have submitted a QRP Assessment for it.</p> <p>We are currently carrying out a <a href="#">consultation</a> on our draft guidance on consent under the EU General Data Protection Regulation (GDPR). The closing date is 31 March 2017.</p>		

<p>L4 – Changes to management of regulator</p>	<p>In July 2016 Elizabeth Denham succeeded Christopher Graham as Information Commissioner. Elizabeth has set up a new Senior Leadership Team, comprising the Commissioner, the Deputy Commissioner (Operations) the Deputy Commissioner (Policy), the Deputy Chief Executive Officer and the General Legal Counsel (to be appointed). There has also been further reorganisation within departments, and the ICO is implementing an internal Change Programme in order to prepare for our responsibilities as the Data Protection Authority under the GDPR. These are internal arrangements and do not impose any obligations or costs on business.</p>
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