

Information Commissioner's Office

# Consultation: Changes to the notification process

Closing date: 30 November 2012

# Introduction

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## **Introducing our consultation on changes to the notification process**

Data controllers who process personal data are generally required to notify the Information Commissioner and have a description of their processing published on a public register.

The content of the register is detailed in Section 16 of the Data Protection Act 1998. Our current approach to the register is to ask data controllers to describe their processing using standard definitions which reflect what they do.

We wish to improve the process; to make it easier for those who need to notify and to make the public register itself more helpful and accessible. Before we make changes however, we are interested in the views of the public and data controllers about the changes.

## **The closing date and responses**

This consultation closes at 5pm on Friday 30 November 2012. The reason for the short time scale is that we need to make changes to our IT system which have to be done to a specific timetable. The proposed changes outlined in this document would be made at the same time as the IT changes.

We aim to publish a summary of consultation responses on the ICO website and explain our reaction to the responses by the end of January 2013.

You can submit your responses in one of the following ways:

**Download this document and email to**  
[Consultations@ICO.GSI.Gov.UK](mailto:Consultations@ICO.GSI.Gov.UK)

**Print off this document and post to:** Peter Bloomfield, Information Commissioner's Office, Wycliffe House, Water Lane, Cheshire, SK9 5AF; **or fax a copy to** 01625 545808.

**Request a copy of this document (including in an alternative format) to be posted to you and post or fax it back to us.** To request a copy, you can either telephone 0303 123 1113 and ask for Peter Bloomfield, or email [Peter.Bloomfield@ICO.GSI.Gov.UK](mailto:Peter.Bloomfield@ICO.GSI.Gov.UK).

If you would like further information on the consultation subject, please telephone 0303 123 1113 and ask for Traci Shirley.

## **Accessibility**

The ICO has a Translations Policy that covers its publications. The policy states that, on request, the ICO will arrange for written information to be made available in Braille or in audio format for blind or visually impaired users.

The ICO website also has a Browsealoud feature that reads web pages for people who find it difficult to read online.

We do not translate all publications as a matter of course, but we will respond to individual requests in line with our Translations Policy, which can be found on our website.

## **Privacy statement**

Following the end of the consultation we shall publish a paper summarising the responses. Information you provide in your response to this consultation, including personal information, may be published or disclosed in accordance with the Freedom of Information Act 2000 and the Data Protection Act 1998. If you want the information that you provide to be treated as confidential, please tell us but be aware that, under the FOIA, we cannot guarantee confidentiality.

# Proposed changes to the notification process

## 1. Online and telephone payment service

We will be introducing an online and telephone payment service to allow data controllers to pay for and renew their notification quickly and easily.

Qu1	Would you as a data controller find an online and telephone payment service useful?
Answer	

## 2. Contact details for requests for information

When a data controller notifies they will be asked to consider providing contact details they would like the public to use when requesting information from them, or if they want clarification as to what is being done with their personal information. These contact details would be made available on the public register.

Qu2a	Would this proposal be useful to you as a data controller? If not why not?
Answer	

Qu2b	As a member of the public would you find the inclusion of a data controller's contact details on the register helpful?
Answer	

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### **3. Changes to the format of the public register**

The most common feedback we receive from those visiting the public register is that it is difficult to understand how a data controller is likely to process personal data. We intend to change the format of the public register to make it easier for those who need to notify to do so, and also to make the public register itself more helpful to members of the public.

We would like to replace our current templates, used to help data controllers notify, with a more narrative based approach which offers the opportunity to provide links to the data controller's website. These links could be to privacy policies and to contact details for the public to use.

Taking a more narrative based approach will, we believe, make it easier for a data controller to notify in the first instance and to make amendments. This is because a data controller will be able to describe in their own words how they process personal data.

We will (as now) provide templates for specific types of data controllers, such as banks and schools, which provide a good starting point for a notification entry.

As examples of what is proposed we have provided links to a current template register entry for a doctor, together with the narrative based version.

[Current Doctor's template](#)

[Narrative based Doctor's template](#)

We have also provided our own ICO register entry together with the narrative based version which would replace it.

[Current ICO register entry](#)

[Narrative based ICO register entry](#)

Qu3a	Do you think the approach described above will make it simpler for data controllers to notify the Commissioner accurately about their processing of personal data?
Answer	

Qu3b	Do you think that the above approach will make the public register of data controllers more meaningful for those who visit and use it to understand the way particular data controllers process personal data?
Answer	

# About you

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**Are you:**

A member of the public who has used our service?	Y/N
A member of the public who has not used our service?	Y/N
A representative of a public sector organisation? Please specify:	Y/N
A representative of a private sector organisation? Please specify:	Y/N
A representative of a community, voluntary or charitable organisation, or of a trade body? Please specify:	Y/N
An ICO employee?	Y/N
Other? Please specify:	Y/N

**Thank you for completing this consultation.  
We value your input.**