

Information Commissioner's Office

Consultation: GDPR consent guidance

Start date: 2 March 2017

End date: 31 March 2017

Introduction

The General Data Protection Regulation (GDPR) will apply in the UK from May 2018 and replaces the Data Protection Act 1998 (DPA).

The GDPR sets a high standard for consent. It builds on the DPA standard of consent in a number of areas and it contains significantly more detail that codifies existing European guidance and good practice.

Our draft guidance on consent explains our recommended approach to compliance and what counts as valid consent. It also provides practical help to decide when to rely on consent, and when to look at alternatives.

We are now running a short consultation on the draft guidance to gather the views of stakeholders and the public. These views will inform the published version of the guidance.

We are provisionally aiming to publish this guidance in May 2017, although this timescale may be affected if we need to take account of developments at the European level. We intend to publish this guidance as a series of linked webpages that can be downloaded as a pdf.

As the GDPR is a new regulation which applies consistently across the EU, our published guidance will need to continue to evolve to take account of any guidelines issued in future by relevant European authorities (including the Article 29 Working Party of European data protection authorities and the EDPB), as well as our developing experience of applying the law in practice.

Responses to this consultation must be submitted by 31 March 2017. You can submit your response in one of the following ways:

Download this document and email to joanne.crowley@ico.org.uk

Print off this document and post to:
Joanne Crowley
Information Commissioner's Office
Wycliffe House
Water Lane

Wilmslow
Cheshire SK9 5AF

If you would like further information on the consultation please telephone 0303 123 1113 and ask to speak to Joanne Crowley or email joanne.crowley@ico.org.uk.

Privacy statement

Following the end of the consultation we shall publish a summary of responses received. Information people provide in response to our consultations, including personal information, may be 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 we cannot guarantee confidentiality.

Section 1: Your views

Please provide us with your views by answering the following questions:

1. Is the draft guidance clear and easy to understand?

Yes

No
Please explain why not:

2. Does the guidance contain the right level of detail?

Yes

No
Please explain why not:

3. Do you have any examples of consent in practice, good or bad, that you think would be useful to include in the guidance?

Yes

No
Please outline your examples:

4. Does the guidance cover the right issues about consent under the GDPR?

Yes

No
If not what do you believe is missing?

5. Please provide any further comments or suggestions on our draft guidance.

Section 2: About you

Are you:

A member of the public who has used our service?	<input type="checkbox"/>
A member of the public who has not used our service?	<input type="checkbox"/>
A representative of a public sector organisation? Please specify:	<input type="checkbox"/>
A representative of a private sector organisation? Please specify:	<input type="checkbox"/>
A representative of a community, voluntary or charitable organisation, or of a trade body? Please specify:	<input type="checkbox"/>
An ICO employee?	<input type="checkbox"/>
Other? Please specify:	<input type="checkbox"/>

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