

Information Commissioner's Office

Consultation:

Data protection and journalism – a guide for the media

Start date: 23 January 2014

End date: 22 April 2014

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Information Commissioner's Office

Introduction

In the report of the Leveson Inquiry into the culture, practices and ethics of the press, Lord Justice Leveson recommended that the ICO should, in consultation with the industry, issue comprehensive guidelines and advice on appropriate principles and standards to be observed by the press in the processing of personal data.

Our draft guidance document '[Data protection and journalism – a guide for the media](#)' responds to that recommendation. It aims to help journalists, editors and managers understand and comply with existing data protection law and good practice. The draft guide sets out the basic principles and obligations, advises on good practice, and clarifies how the exemption for journalism works to protect freedom of expression. It also explains what happens when someone complains, and the role and powers of the ICO.

We are now consulting on the draft guide to gather the views of the media, non-media stakeholders and the public. These views will inform the final published version of the guide. The consultation will play an important role in ensuring the guide achieves the right balance between protecting individuals' privacy and respecting freedom of expression and the importance of a free and independent media.

This consultation concerns our guidance on the law as it currently stands. Lord Justice Leveson also recommended some changes to the Data Protection Act, but these are outside of the scope of our consultation. Any changes to the law would be for the government to consider and take forward separately.

We are aiming to publish the final version of the guide in June 2014.

How to take part in this consultation

Responses to this consultation must be submitted by 22 April 2014. You can submit your responses in one of the following ways:

Download this document and email to:
Consultations@ico.gsi.gov.uk

Print off this document and post to:

Lynsey Smith, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

If you would like further information on this consultation, please telephone 0303 123 1113 and ask for Lynsey Smith or email consultations@ico.gsi.gov.uk.

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 Freedom of Information Act we cannot guarantee confidentiality.

Section 1: your views

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

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

Yes

No

Please explain why:

2. Is the status of the draft guide and its relationship with media industry codes of practice clearly explained?

Yes

No

Please explain why:

3. Does the draft guide adequately explain the key principles and obligations of the Data Protection Act?

Yes

No

Please explain why:

4. Does the draft guide adequately explain when the exemption for journalism does and does not apply?

Yes

No

Please explain why:

5. Does Chapter 5 cover the right issues in practice? If not, what is missing?

Yes

No

Please explain why:

6. Would it be helpful to include a basic data protection checklist for editors? Are there any other tools we could produce which would be useful?

Yes

No

Please explain why:

7. Does the draft guide contain the right level of detail?

Yes

No

Please explain why:

8. Please provide any other comments or suggestions on the draft guide.

Please provide your comments:

Section 2: about you

1. 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.**