ICO consultation:

Draft journalism code of practice

Start date: 13 October 2021

End date: 24 January 2022

Logo

Description automatically generated

Introduction

We are seeking feedback on the draft code of practice about processing personal data for the purposes of journalism. This is a statutory code under section 124 of the Data Protection Act 2018 (DPA 2018).

The code provides practical guidance about processing personal data for the purposes of journalism in accordance with the requirements of data protection legislation and good practice.

The code updates our previous guidance, [Data protection and journalism: a guide for the media](https://ico.org.uk/media/about-the-ico/consultations/2045/data-protection-and-journalism-a-guide-for-the-media-draft.pdf), which was published in 2014.

It will also help us to assess compliance as part of the periodic review of processing for the purposes of journalism that the ICO must carry out under section 178 of the DPA 2018.

Before drafting the code, we launched a [call for views in 2019](https://ico.org.uk/about-the-ico/ico-and-stakeholder-consultations/ico-call-for-views-on-a-data-protection-and-journalism-code-of-practice/). You can view a [summary of the responses and individual responses on our website](https://ico.org.uk/about-the-ico/responses-to-the-call-for-views-on-a-data-protection-and-journalism-code-of-practice/).

The draft is now out for public consultation. The public consultation will remain open until 24 January 2022.

**Download this document** and email to: [journalismcode@ico.org.uk](mailto:journalismcode@ico.org.uk)

**Print off this document** and post to:

Journalism Code of Practice

Regulatory Assurance

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

If you have any general queries about the consultation, please email us at [journalismcode@ico.org.uk](mailto:journalismcode@ico.org.uk).

**Privacy statement**

For this consultation, we will publish all responses except for those where the respondent indicates that they are an individual acting in a private capacity (eg a member of the public). All responses from organisations and individuals responding in a professional capacity will be published. We will remove email addresses and telephone numbers from these responses but apart from this, we will publish them in full.   
  
For more information about what we do with personal data please see our [privacy notice.](https://ico.org.uk/global/privacy-notice/responding-to-our-consultation-requests-and-surveys/)

Questions

When commenting, please bear in mind that we aim to focus on key points and practical information relevant to journalism where possible. The code does not aim to cover all of the legislation and may assume knowledge of some general data protection terms and concepts. Where relevant, the code may link to further reading such as the [Guide to the UK GDPR](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/) but this does not form part of the statutory code.

Please also bear in mind that we intend to provide a ‘quick guide’, and perhaps other resources, to support day-to-day journalism and smaller organisations, as we did with our previous media guidance. Please let us know if you have any ideas about resources to support this code in the general comment box at the end of this survey.

**Q1** To what extent do you agree that the code is clear?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

**Q1a** If the code could be clearer, please tick which section(s) could be clearer.

Summary

Navigating the code

About this code

Balance journalism and privacy

Be able to demonstrate your compliance

Keep personal data secure

Justify your use of personal data

Make sure personal data is accurate

Process personal data for specific purposes

Use the right amount of personal data

Decide how long to keep personal data

Be clear about roles and responsibilities

Help people to exercise their rights

Disputes and enforcement

Annex 1

Please explain your response to Q1a.

**Q2** To what extent do you agree that it is easy to find information in the draft code?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

**Q2a** If it could be easier to find information in the code, please tell us how it could be easier.

**Q3** To what extent do you agree that the code provides the right level of detail?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

**Q3a** If the code could provide a better level of detail, please tell us how it could be improved.

**Q4** To what extent do you agree that the code provides practical guidance to help individuals processing personal data for the purposes of journalism to understand and comply with data protection obligations?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

**Q4a** If the code could be more practical, please tick which section(s) could be more practical and tell us how it could be improved.

Summary

Navigating the code

About this code

Balance journalism and privacy

Be able to demonstrate your compliance

Keep personal data secure

Justify your use of personal data

Make sure personal data is accurate

Process personal data for specific purposes

Use the right amount of personal data

Decide how long to keep personal data

Be clear about roles and responsibilities

Help people to exercise their rights

Disputes and enforcement

Annex 1

Please explain your response to Q4a.

**Q5** To what extent do you agree that the draft code covers the right issues about journalism in the context of data protection?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

**Q5a** If we have not covered the right issues in the code, please tell us how it could be improved.

**Q6** Please provide details of any cases, examples, scenarios or online resources that it would be useful for us to include in the code.

**Q7** To what extent do you agree that the draft code effectively protects the public interest in freedom of expression and information?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

**Q7a** If the draft code could protect the public interest in freedom of expression and information more effectively, please tell us how it could be improved (bearing in mind the need to balance competing rights in the code).

**Q8** To what extent do you agree that the draft code effectively protects the public interest in data protection and privacy?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

**Q8a** If the draft code could protect the public interest in data protection and privacy more effectively, please tell us how it could be improved (bearing in mind the need to balance competing rights in the code).

**Q9** Could the draft code have any unwarranted or unintended consequences?

Yes

No

**Q9a** If yes, please explain your answer to Q9.

**Q10** Do you think this code requires a transition period before it comes into force?

Yes

No

**Q10a** If yes, please tick the most appropriate option.

3 months

6 months

12 months

**Q11** Is there anything else you want to tell us about the draft code?

**Section 2 About you**

Please see privacy information above.

**Q12** What is your name?

**Q13** If applicable, what is the name of your organisation and your role?

**Q14** Are you acting:Please select the capacity in which you are acting.

in a private capacity (eg someone providing their views as a member of the public)?

in a professional capacity?

on behalf of an organisation?

other

If other, please specify.

**Q14a** Are you: Please select most appropriate.

A member of the public

A citizen journalist

A public figure (eg individuals who have a degree of media exposure due to their functions or commitments) or individual with a public role (eg politician, public official, business people and members of regulated professions)

A representative of a newspaper or magazine

A representative of a broadcaster

A representative of an online service other than those above

A representative of the views and interests of data subjects

A representative of a trade association

A representative of a regulator

A representative of a ‘third sector’/’civil society’ body (eg charity, voluntary and community organisation, social enterprise or think tank)

A freelance journalist

A private investigator

A photographer

An academic

A lawyer

Other

If other, please specify.

**Further consultation**

**Q15** Would you be happy for us to contact you regarding our consultation on the journalism code?

Yes

No

If so, please provide the best contact details.

**Q16** Would you be happy for us to contact you regarding our work to develop a process to review processing for journalism in accordance with the statutory requirement under section 178 of the DPA 2018?

Yes

No

If so, please provide the best contact details.

**Thank you for taking the time to share your views and experience.**