Call for supporting evidence

**Employment practices:** monitoring at work – impact scoping

Start date: 12 October 2022

End date: 11 January 2023

Call for supporting evidence on impacts – monitoring at work draft guidance

A draft of the guidance on monitoring at work is now out for public consultation. We have also produced an impact scoping document. This provides a high-level outline of some potential impacts we have considered so far. We are seeking feedback on this document as well as any other insights from stakeholders. You should read this document alongside the monitoring at work consultation document.

The call for supporting evidence will remain open until **11 January 2023**. The ICO welcomes feedback on the specific questions set out below.

Please submit responses by **5pm on 11 January 2023**. We may not consider responses submitted after the deadline.

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

Or print off this document and post to:

Employment Practices Guidance Team

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

If you have any general queries about the call for supporting evidence or would like further information, please email the team at [employmentguidance@ico.org.uk](mailto:employmentguidance@ico.org.uk).

**Privacy statement**

For this call for supporting evidence, we may publish a summary of the responses but will not publish the actual responses received from organisations or individuals.

Should we receive an FOI request for your response we will need to consider whether we make it available. However, at this point, we would always seek to consult with you for your views on the disclosure of this information before any decision is made.

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/).

### Our questions

The following questions will be really helpful in shaping our guidance and the supporting impact assessment as we progress. Some of the questions will not be relevant to you or your organisation so please skip these as necessary, or as indicated in the descriptions.

When commenting, please bear in mind that we aim to focus on the findings of the impacts rather than the guidance itself. Matters relating to the guidance specifically should be set out in responses to the consultation on the guidance itself. Although efforts have been made to make the impact scoping document as accessible as possible, there may be areas where we have assumed some knowledge of general impact assessment terms and concepts. Where relevant, the document may link to further reading such as [HM Treasury’s Green Book Guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1063330/Green_Book_2022.pdf), which may be useful.

### Impact scoping document

We are seeking views on our impact scoping document which was provided as supporting evidence for the consultation. This sets out a high-level overview of the types of impacts that we have considered so far. We will be developing these further into a more detailed assessment of impacts as we move towards publication of the guidance.

Q1:

How far do you agree that the impact scoping document adequately scopes the main affected groups? If disagree, strongly disagree or unsure/don’t know, please provide examples of any affected groups you think we have missed or require further consideration.

Strongly agree

Agree

Disagree

Strongly disagree

Unsure/don’t know

Comments:

Q2:

How far do you agree that the impact scoping paper adequately scopes the main impacts? If disagree, strongly disagree or unsure/don’t know, please provide details of impacts we have missed or that require further consideration.

Strongly agree

Agree

Disagree

Strongly disagree

Unsure/don’t know

Comments:

Q3: Can you provide us with any further evidence for us to consider in our impact assessment?

|  |  |
| --- | --- |
|  | Yes |
|  | No |

[IF Q3=YES] Q3a: If yes, please could you provide the impact evidence or a link to it in the box below, or contact details where we can reach you to discuss further.

[IF Q3=NO/FOLLOWING Q3A] Q4: Please provide any further comments or suggestions you may have about the impact scoping note.

### Impacts on your organisation

As part of our impact assessment work, we would like to understand more about how you think this guidance impacts you and your organisation. These questions are specifically for respondents that are acting on behalf of an organisation. If you are not acting on behalf of an organisation, please skip straight to the ‘About you’ section.

Q5: Who in your organisation needs to read the guidance? (Please provide job titles or roles, not people’s names)

Q6: To what extent (if at all) do data protection issues affect strategic or business decisions within your organisation?

Data protection is a major feature in most of our decision making

Data protection is a major feature but only in specific circumstances

Data protection is a relatively minor feature in decision making

Data protection does not feature in decision making

Unsure/don’t know

Q7:

Do you think the guidance set out in this document presents additional:

(select one option)

cost(s) or burden(s) to your organisation

benefit(s) to your organisation

both

neither

Unsure/don’t know

[MOVE TO Q8 IF ANY OF THE FIRST THREE OPTIONS ARE SELECTED, OTHERWISE SKIP TO Q11]

Q8: Could you please describe the types of additional costs or benefits you might incur?

Q9: Can you provide a rough estimate of the costs or benefits you are likely to incur and briefly how you have calculated these?

Q10: Please provide any further comments or suggestions you may have about how the guidance might impact your organisation.

**About you**

Q11: Are you answering as:

(tick all that apply)

An organisation or person employing workers

A representative of a professional, industry or trade association

An organisation representing the interests of employees, workers or the self-employed (eg charity, employment advocacy organisation)

An employment rights professional body or advice service

A trade union

A recruitment agency

An academic

A supplier of employment technology solutions (eg monitoring software, HR systems)

An individual acting in a professional capacity

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

An ICO employee

Other

If you state ‘Other’ please ensure that you specify here:

Q12: If you are representing an organisation, please specify the name of your organisation (optional):

Q13 How would you describe your organisation?

Micro-organisation (no more than 10 members of staff)

Small and medium organisation (no more than 250 members of staff)

Large organisation (more than 250 members of staff)

Not applicable or not sure

Q14: We may want to contact you about our impact assessment and some of the points you have raised. If you are happy for us to do this, please provide your email address:

Thank you for taking the time to complete this consultation.