

# ICO Regulatory Sandbox Application

## Getting Started

Thank you for expressing your interest in entering the ICO's Regulatory Sandbox. This application has been sent to you because, following a discussion with a member of the Sandbox Team, your proposed innovation seems likely to meet our application criteria and is being considered for participation in the ICO's Sandbox.

Your responses to the following questions will be used by the Sandbox Team to assess whether or not your product or service should enter the ICO Sandbox. We request that you provide as much detail as possible in response to the following questions. We would also request that you provide explanations/definitions of any acronyms and/or technical terms used in your responses. Please do not use web-links or signpost to further information.

Applications must be submitted using this template. Applications submitted in any other format will not be accepted. Please be aware that as the ICO is a Public Authority information submitted to the ICO may be subject to disclosure under the Freedom of Information Act 2000. In order to help the ICO deal with any such access requests we request that applicants label any commercially sensitive aspects of their Expression of Interest. **Please do this by highlighting commercially sensitive sections of your application in yellow.**

If you require any further assistance when completing this form please feel free to contact the member of the Sandbox Team you have already discussed your application with. Alternatively you can email [sandbox@ico.org.uk](mailto:sandbox@ico.org.uk) for assistance.

Please note that by submitting this form you are certifying that the information you have provided is true and accurate and that you have the relevant authority to make this application.

Please submit your completed application to [appliesandbox@ico.org.uk](mailto:appliesandbox@ico.org.uk).

Your Organisation's Details	
<b>Organisation Name:</b>	Gambling Commission
<b>Companies House Number / Charity Number (if available)</b>	
<b>Who is your authorising senior manager?</b>	Name: Sarah Gardner (Deputy Chief Executive) Email address: [REDACTED] Telephone Number: [REDACTED]
<b>Have you reported any incidents to the ICO in the past two years?</b>	Yes. We have self-reported 2 Data Protection breaches to the ICO. None of these breaches required further action from the ICO and these were dealt with successfully internally.
<b>Has the ICO contacted you with reference to a data protection complaint in the past two years?</b>	Yes. The ICO have contacted us about 4 complaints that have been received regarding the processing of individual's Data Subject Access Requests. These were resolved successfully.
<b>Do you employ or are you, or your staff, in anyway associated with current or former ICO staff?</b>	Yes.  We understand our Chief People Officer held a role at the ICO.  There is no expectation that they will have contact or dealings with the ICO during the Sandbox.

<p><b>If yes, please explain the role of the staff member and whether they are expected to have any contact or dealings with the ICO during the Sandbox.</b></p>	
<p><b>Please provide a rough assessment of your organisation's data protection maturity</b></p>	<p>We have an appointed Data Protection Officer in place and an established Information Management Team who provide support and guidance to Commission colleagues with regards to the processing of personal information. This includes advice about information sharing, supporting with DPIAs and producing a suite of policies and guidance to support how we manage information. Included within our suite of policies are policies relating to Data Protection, Information Security, Acceptable Use, Email Management, Records Management. We also have embedded Security Incident reporting processes and we align our information security work to the ISO27001 standard. We have a number of Information Management on-line training courses in place covering Data Protection, Freedom of Information and Information Security. All staff are required to complete the on-line training upon induction to the Commission with a refresh every 2 years.</p>
<p><b>Please provide any other information about your organisation which may be relevant to your application.</b></p>	<p>The Gambling Commission will not be sharing data but seeks the ICO's support in exploring the options available to support an industry trial, which might include potential regulatory changes necessary for the purpose of enabling the evolution of consumer protection sector wide.</p>

Your Product/Service	
<b>Product/Service Summary:</b>	The objective of Single Customer View is to create a holistic view of a multiple account holder's online activity for the purpose of mitigating gambling related harm by applying consistent identification and customer intervention processes. This challenge is aimed at the online gambling sector (in the first instance).
<b>Please provide details of any progress your organisation has made so far on your product/service:</b>	<p>The Gambling Commission engaged with the industry, technological providers, experts by experience groups, academics, and charities, during an event in February 2020. The challenge - sharing multiple account holders' data for the purpose of harm mitigation, and relevant technological options, were discussed on the day. Colleagues from the ICO Innovation Hub supported the event. Challenges around GDPR and legal basis have been mentioned throughout our work with all stakeholders.</p> <p>The industry working group, led by the Betting and Gaming Council (BGC), have been working on proposals for trialling solutions which would test the technology as well as focus on measuring consumer impact. Discussions around these trials are ongoing with no confirmed timelines to date.</p> <p>The Gambling Commission continues working with the ICO Innovation Hub to identify options available to support an industry trial soon. We see the main objective of this trial as developing components of the single customer view challenge. At the same time we are working to establish the legal basis for data sharing. These two elements combined will help us progress towards an industry-wide solution.</p>
<b>To the best of your knowledge, will your product/service require any other form of regulatory authorisation or oversight?</b>	The Gambling Commission will provide the necessary gambling regulatory oversight. The licensing conditions which necessitate harm identification and customer interventions exist and are currently enforced on an individual licensee level. We seek ICO support in exploring the regulatory options available to us to improve consumer protection in the online sector level.

<p><b>Or are there any other regulatory implications that the Sandbox team should be aware of when considering your product/service?</b></p> <p><b>If yes, provide details of any and all cross regulatory issues associated with your product/service.</b></p>	<p>Our aim is to design the sandbox project collaboratively with our ICO colleagues and we remain flexible towards your preferred approach.</p>
<p><b>Do you intend to process any personal data as part of your participation in the Sandbox? Is any of the data you intend to process special category personal data? Please provide details of the exact fields of personal data your product/service will process?</b></p>	<p>The Gambling Commission will not be processing data but seeks ICO steer in understanding the legal basis for sharing account user data for the purpose of single customer view. This will allow the Commission to explore action it can take as a regulator to help the industry progress its work in line with GDPR.</p> <p>The next stages of the project might involve data sharing and we would work with the ICO to understand the implications of this.</p>
<p><b>What do you consider to be the lawful basis for the processing in your proposed innovation?</b></p>	<p>Please see above. We are seeking ICO advice on the legal basis for the proposed single customer view project.</p>
<p><b>What do you consider to be the key data protection</b></p>	<p>The key challenge is understanding whether there is a legal basis for sharing data for the purpose of consumer protection, and what restrictions there would be on the type of scope of any sharing. We also want to understand</p>

<p><b>challenges posed by your Product/Service?</b></p>	<p>and mitigate the related risks of this data being utilised for commercial purposes.</p>
<p><b>Will your Product/Service process personal data within the UK only during your Sandbox participation?</b></p>	<p>We do not envisage progressing to data sharing within the initial stages of the sandbox. Due to the stage of the project, we can shape the extend and format of data sharing collaboratively.</p>
<p><b>Will your Product/Service involve any form of international data transfer?</b></p>	<p>Please see above.</p>
<p><b>Please explain how the technical functions of your product/service demonstrates innovation</b></p>	<p>No similar data sharing solutions currently exist. We wish to explore in the Sandbox, how we can influence building a new solution aimed at consumer protection and not commercial opportunities.</p> <p>The Gambling Commission's enforcement activities demonstrate the necessity of capturing the risk of harm at an earlier stage. Current individual operator identification processes have the potential to miss triggers a holistic view of a multiple account holder's activity could provide. The financial implications suffered by consumers on the back of dramatic spend increases could be mitigated by earlier detection achieved by alerting high risk behaviours across all operators, thus preventing the consumer escalating without appropriate intervention.</p> <p>Consistency of approach could also enable better management of compliance teams and raising of standards benefits far outreaching the focus of this work.</p>
<p><b>How and to what extent will your product or service benefit the public?</b></p>	<p>Please see the above.</p>

	<p>Please see the enclosed '<u>SCV Research List</u>' which includes supporting research documentation, exploring the extend of multiple account holders' online activities, associated risks and the importance of progressing the consumer protection suite in this area. This shows that consumers with multiple accounts are higher risk of experiencing gambling related harm. Currently it is not possible for anyone to see a consumers' activity across all of their accounts, which makes it more challenging to identify potentially problematic behaviour and allow an operator to intervene to take action to protect a player. A single customer view would allow organisations to do this.</p> <p>We consider ICO support as essential in progressing towards practical risk assessment and mitigation of consumer harm. The direct result of sandbox participation will be progressing towards regulatory solutions or industry trials, or both. We need the ICO support to make informed decisions as a regulator in this area of work.</p>
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<h2 style="text-align: center;">Your Proposed Sandbox Plan</h2>	
<p><b>Please provide an outline of the activity you wish to undertake in the Sandbox. Your outline should include a breakdown of your project's time scales and directly relate to the data protection challenges you have outlined earlier in your application</b></p>	<p>In the first phase of our sandbox work, we wish to explore the question of legal basis, the next phases will depend on the ICO steer. We remain flexible and will accommodate our ICO colleagues resourcing requirements and recommended timelines.</p> <p>We seek to coordinate the industry trial alongside our work in the Sandbox. Working with our ICO colleagues will enable us to understand the steps needed to evolve customer interaction to a sector level. Running an industry trial focusing on consistency of identification and interaction processes as well</p>

	as identification of multiple account holders only will support speedier progress towards a practical solution when approaching it becomes possible.
<b>Please provide an overview of the interdependencies surrounding your product/service</b>	The Betting and Gaming Council have been leading on an industry working group whose aim to address the single customer view challenge has been outlined to the ICO Innovation Hub (these conversations are ongoing)
<b>Please outline the measures your organisation would undertake in response to the occurrence of a data breach in connection to the product/service you wish to enter into the Sandbox.</b>	The desired outcome is aimed at consumer protection and harm minimisation. We would welcome cooperation on industry standards formation as well as the ICO's steer and feedback relating to relevant provisions should the process deem a regulatory change necessary/appropriate.
<b>Please outline your organisation's plan for exiting the Sandbox early.</b>	We do not envisage exiting the Sandbox early and welcome our ICO colleagues support in building a contingency plan into our sandbox working plan.