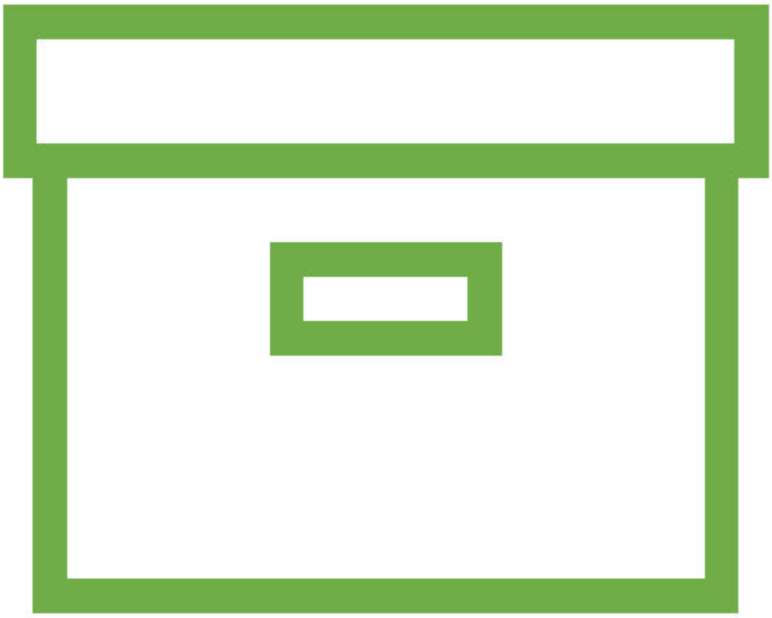
Casework Training



Case Officer Manual

(ICO Training Week 4-15)

ICO TS SB V1 14/09/2022

Hello!

Welcome to Casework Training. This manual sets out the aims and objectives for the next 12 weeks of casework training.

Each week sets out the weekly:

- Aims
- Learning objectives
- Reflection questions

Trainers will create a supportive and engaging environment for you to learn in. We will deliver training in a variety of ways including:

- Presentations
- Facilitating engaging and constructive group discussions
- Promoting independent learning and self-directed study
- 1 to 1 feedback and discussions

At the end of each week, we expect case officers to reflect on the week's learning and whether they feel that the aims and objectives have been met. You should identify any areas of further learning that you feel you may have and write down any questions or concerns you may have ready for the following week's group discussion. Any questions or concerns of a sensitive or personal nature can be discussed with trainers or your manager on a 1 to 1 basis.

Trainers will actively work to slowly promote your independence throughout the 12 weeks of casework training. By the end of this 12 weeks of casework training we expect new case officers will be:

- Confident in their understanding of their role and how it may change under ICO25.
- To understand the casework process, manage their time effectively and be able to make independent decisions.
- Able to recognise their limitations and know when to ask for help.
- Confident in discussing cases within a group and 1 to 1.
- Able to confidently apply their data protection legislation knowledge to their case work.
- Able to demonstrate their ability to communicate effectively in a variety of ways with a variety of individuals and organisations.
- To be working towards a full allocation of cases.

If you feel that you need more support along the way, please contact your trainer or manager and let us know how we can help you. 😊

Casework Week 1: Casework Basics and Underpinning

(Training week 4/DP Modules week 3)

Aims	To understand why we do case work and the impact we have on organisations and individuals. To understand how legislation is used in practice, learning to analyse, summarise and discuss a case effectively. Identify the relevant data protection elements of a complaint.

Learning Objectives	1. The role of a case officer within casework and an understanding of the new ICO25 vision and how it is changing the work we do 2. How to read a case and look for the information we need. 3. How to assess a case and identify whether it fits our criteria and understand when to progress a case 4. Learn how to summarise a case 5. Discuss a case in a group setting

Reflection & Questions	We would like you to fill in this section, answering the questions below as appropriate, ready for Monday morning next week. *1. Do you think the learning objectives set out for this week have been met? If the answer is no, please explain further:* *2. Can you identify any areas for further learning? If yes, please explain further:*

	3. Is there any areas of this week's learning you need clarifying, or any new questions you have that weren't explored?: *4. Is there anything you found particularly helpful? Any other points to be raised:*

Notes:

Casework Week 2: Casework in Practice

(Training week 5/DP Modules week 4)

Aims	Understand the ways in which we can progress cases and improve the practice of organisations. Understand the channels of communication we can use to do this and recognise the best form of communication to use in each case. Should be able to confidently summarise and discuss a case.

Learning Objectives	1. Recognise ways in which we can improve practices of organisations. 2. Recognise the most appropriate way to communicate with individuals and organisations. 3. Know the importance of the accountability principle in practice. 4. Recognise different channels of communication. 5. Thinking about and discussing progressing cases.

Reflection & Questions	We would like you to fill in this section, answering the questions below as appropriate, ready for Monday morning next week. *1. Do you think the learning objectives set out for this week have been met? If the answer is no, please explain further:* *2. Can you identify any areas for further learning? If yes, please explain further:*

	3. Is there any areas of this week's learning you need clarifying, or any new questions you have that weren't explored?: *4. Is there anything you found particularly helpful? Any other points to be raised:*

Notes:

Casework Week 3: Introduction to Independent Decision Making

(Training week 6/DP Modules week 5)

Aims	To understand the full casework process from allocation to closure and to be able to navigate the ICE 360 confidently. Begin to work on responses to live cases and act on feedback from trainers.

Learning Objectives	1. Identify correct contacts points 2. Naming conventions 3. Assess cases independently with support 4. Apply current learning to live cases 5. Putting cases on the spreadsheet ready for checking and respond to and action feedback as appropriate.

Reflection & Questions	We would like you to fill in this section, answering the questions below as appropriate, ready for Monday morning next week. *1. Do you think the learning objectives set out for this week have been met? If the answer is no, please explain further:* *2. Can you identify any areas for further learning? If yes, please explain further:*

	3. Is there any areas of this week's learning you need clarifying, or any new questions you have that weren't explored?: *4. Is there anything you found particularly helpful? Any other points to be raised:*

Notes:

Casework Week 4: Beginning to Work Independently and Case Change Awareness

(Training week 7/DP Modules week 6)

Aims	Begin to make independent decisions based on knowledge resources and develop self-directed learning skills. Be able to recognise own limitations and voice questions and contribute to discussions confidently.

Learning Objectives	1. Begin to work independently 2. Continue to develop independent learning skills by utilising knowledge resources. 3. How to be self-aware, knowing when to ask for help. 4. Identify own training and knowledge needs and communicating them with trainers. 5. Continue to engage with group case discussions (Case Clinic)

Reflection & Questions	We would like you to fill in this section, answering the questions below as appropriate, ready for Monday morning next week. *1. Do you think the learning objectives set out for this week have been met? If the answer is no, please explain further:* *2. Can you identify any areas for further learning? If yes, please explain further:*

	3. Is there any areas of this week's learning you need clarifying, or any new questions you have that weren't explored?: *4. Is there anything you found particularly helpful? Any other points to be raised:*

Notes:

Casework Week 5: Independent Working

(Training week 8/DP Modules Completed)

Aims	To continue to work independently and develop self-directed learning skills. Be able to recognise own limitations and voice questions and contribute to discussions confidently. To work pragmatically when allocated cases that don't fit the usual criteria.

Learning Objectives	1. Understand how to manage older cases 2. Continue to work independently 3. Continue to develop independent learning skills 4. How to be self-aware, knowing when to ask for help 5. Identify own training and knowledge needs 6. Continue to develop case presentation skills (Case Clinic)

Reflection & Questions	We would like you to fill in this section, answering the questions below as appropriate, ready for Monday morning next week. *1. Do you think the learning objectives set out for this week have been met? If the answer is no, please explain further:* *2. Can you identify any areas for further learning? If yes, please explain further:*

	3. Is there any areas of this week's learning you need clarifying, or any new questions you have that weren't explored?: *4. Is there anything you found particularly helpful? Any other points to be raised:*

Notes:

Casework Week 6: Increasing Productivity

(Training week 9/DP Modules Completed)

Aims	Continue to work independently, decreasing reliance on trainer support and becoming more self-reliant. Work pragmatically using emerging professional judgement on cases that may seem different or more complex.

Learning Objectives	1. Increase productivity, taking on a variety of new and older cases, working pragmatically – case by case basis – seeking advice and support as required. 2. Be more confident in working independently and making own decisions, utilising available resources. 3. Continue to develop independent learning skills. 4. Continue to contribute to and engage with case clinics as a learning tool.

Reflection & Questions	We would like you to fill in this section, answering the questions below as appropriate, ready for Monday morning next week. *1. Do you think the learning objectives set out for this week have been met? If the answer is no, please explain further:* *2. Can you identify any areas for further learning? If yes, please explain further:*

	3. Is there any areas of this week's learning you need clarifying, or any new questions you have that weren't explored?: *4. Is there anything you found particularly helpful? Any other points to be raised:*

Notes:

Casework Week 7: Working Towards Full Caseload

(Training week 10/DP Modules Completed)

Aims	Case officers should be working independently and managing their own time effectively. Managing caseloads and case changes in line with the ICO's service standards. Working towards a full allocation of cases. Case officers should continue to engage with and contribute to case clinics.

Learning Objectives	1. Continue to increase productivity, aiming to complete 7 cases by the end of the week. 2. Demonstrating confidence in working independently. 3. Finding answers independently and engaging with case clinics.

Reflection & Questions	We would like you to fill in this section, answering the questions below as appropriate, ready for Monday morning next week. *1. Do you think the learning objectives set out for this week have been met? If the answer is no, please explain further:* *2. Can you identify any areas for further learning? If yes, please explain further:*

	3. Is there any areas of this week's learning you need clarifying, or any new questions you have that weren't explored?: *4. Is there anything you found particularly helpful? Any other points to be raised:*

Notes:

Casework Week 8-12: Continuing Development

(Training week 11-15/DP Modules Completed)

Aims	Case officers should be working independently and managing their own time effectively. Managing caseloads and case changes in line with the ICO's service standards. Working towards a full allocation of cases and requiring minimal support from trainers. Case officers should continue to engage with and contribute to case clinics.

Learning Objectives	1. Continue to increase productivity aiming to complete the weeks allocation by the end of the week. Should aim to complete at least 7 cases. 2. Demonstrating confidence in working independently. 3. Finding answers independently and engaging with case clinics as required

Reflection & Questions	We would like you to fill in this section, answering the questions below as appropriate, ready for Monday morning next week. *1. Do you think the learning objectives set out for this week have been met? If the answer is no, please explain further:* *2. Can you identify any areas for further learning? If yes, please explain further:*

	3. Is there any areas of this week's learning you need clarifying, or any new questions you have that weren't explored?: *4. Is there anything you found particularly helpful? Any other points to be raised:*

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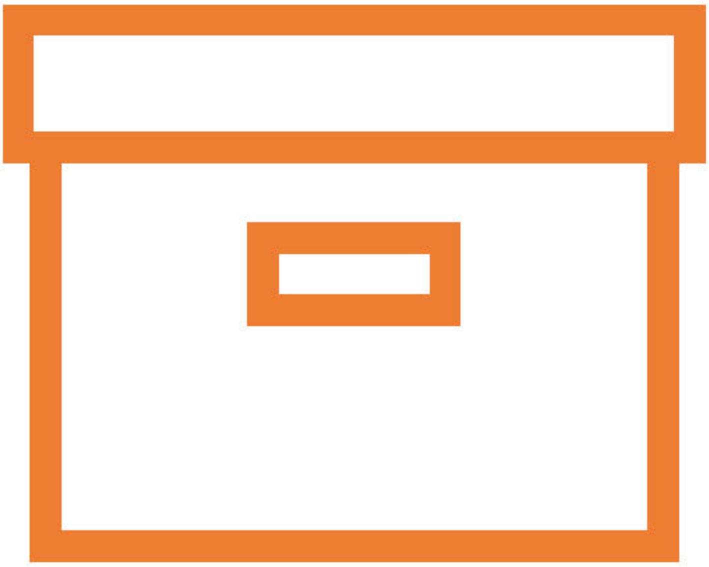
Casework Training



Trainer's Manual

(ICO Training Week 4-15)

TS SB V2 14/09/2022

This document sets out a 12 week plan for casework training.

Each week sets out a plan for the recommended:

- Allocation and Resources
- Aims for the week
- Learning objectives
- Lesson plan

Some amendments or additions to this plan may be required depending on the development of the group/individual case officers. These changes will be at the trainer's discretion.

By the end of this 12 weeks of casework training we would expect new case officers to be:

- Confident in their understanding of their role and how it may change under ICO25.
- To understand the casework process, manage their time effectively and be able to make independent decisions.
- Able to recognise their limitations and know when to ask for help.
- Confident in discussing cases within a group and 1 to 1.
- Able to confidently apply their data protection legislation knowledge to their case work.
- Able to demonstrate their ability to communicate effectively in a variety of ways with a variety of individuals and organisations.
- To be working towards a full allocation of cases.

Trainers will create a supportive environment for case officers to learn in, with the use of presentations, 1 to 1 feedback and facilitating constructive discussions between the cohort that develop their understanding of the work we do. Trainers should work to slowly promote independence throughout the 12 weeks of casework training, encouraging good time management and use of case clinics.

Case officers have their own manual that includes:

- Allocation and Resources
- Aims for the week
- Reflection questions

Please encourage all case officers to reflect at the end of the week and answers the questions in their pack ready for the Monday morning discussion.

Casework Week 1: Casework Basics and Underpinning

(Training week 4/DP Modules week 3)

Allocation & Resources	Allocate 1 live case each at the beginning of the week Choose a new case that is less than 1 month old. This is in preparation for session 3. +Use dummy cases for session 1&2. +Our role presentation +Introduction to casework presentation

Aims	To understand why we do case work and the impact we have on organisations and individuals. To understand how legislation is used in practice, learning to analyse, summarise and discuss a case effectively. Identify the relevant data protection elements of a complaint.

Learning Objectives	1. The role of a case officer within casework and an understanding of the new ICO25 vision and how it is changing the work we do 2. How to read a case and look for the information we need. 3. How to assess a case and identify whether it fits our criteria and understand when to progress a case 4. Learn how to summarise a case 5. Discuss a case in a group setting

Lesson Plan	Complete session 1 and 2 at the beginning of the week • **Session 1 - How we work, our role and impact and the case work journey** +Our Role +Introduction to casework Beginning of the week: Talk generally about our role/Why we do casework/Talk about impact cases/V&V/time frames/Insufficient Information. This will give the case officer an idea of what we are working towards. Use dummy cases if necessary to demonstrate how a case runs from beginning to end. More detailed case progression in week 2.

	• **Session 2: Navigating a case in ICE 360 and summarising a case** +Dummy cases Beginning of the week: Demonstrate how to navigate a case in ICE360. Look at complaint forms in detail. Talk about emailed cases and postal cases and the things we need to consider and where to find the information. Group asses a dummy case, go on to highlight how the case officer has pulled out the important information and summarised the case in their correspondence. TASK: Give case officers a few days to navigate around, assess and summarise their live case. Case summaries should be emailed to trainers before session 3, case officers should also include information about whether they consider this case to meet thresholds/criteria to progress. Plan in an open discussion between the whole cohort for the end of the week. • **Session 3: Case discussion day** End of the week: Each case officer then presents their case to the group and everyone can discuss talk about if they agree/think differently. Trainer to facilitate this and encourage engagement. Explore different ways of approaching the case in hand. Relaxed and positive approach.

Casework Week 2: Casework in Practice

(Training week 5/DP Modules week 4)

Allocation & Resources	Provide everyone with a list of live cases (enough for 1 each) at the beginning of the week. Choose new cases that are less than 1 month old. +Use dummy cases for session 2 when talking about progressing cases. +Accountability principle presentation +When to progress a case

Aims	Understand the ways in which we can progress cases and improve the practice of organisations. Understand the channels of communication we can use to do this and recognise the best form of communication to use in each case. Should be able to confidently summarise and discuss a case.

Learning Objectives	1. Recognise ways in which we can improve practices of organisations. 2. Recognise the most appropriate way to communicate with individuals and organisations. 3. Know the importance of the accountability principle in practice. 4. Recognise different channels of communication. 5. Thinking about and discussing progressing cases.

Lesson Plan	• **Session 1: Case Summary Task & Questions/Discussions** Beginning of the week: Ask case officers to assess and summarise all of the cases on the case list and provide trainers with their case summaries by email before the end of the week/Session 3. Case officers will need to navigate the system to find each case on the list. This session also allows for case officer directed questions or discussions that may help with their understanding after they have processed the previous weeks information before summarising

	the new cases. *Refer to their reflection questions as prompts.* • **Session 2: Progressing a Case** +Dummy cases required. +When to progress a case Midweek: A full session/day to discuss progressing cases. Talk about the dummy cases, what we could do next with a case, based on the information we understand about: -V&V and other criteria -DP Principles – particularly the accountability principle. Talk about this in respect of the legislation and the obligations that a DC has, not in terms of a template tool. Guidance for organisations will be a useful tool for teaching here. Explain about infringements and gathering more information from data controllers and data subjects. Include: Talk about closure channels and the use of phone calls in case work, when it is appropriate to use the phone in casework. Importance of phone notes and what to do if the caller asks for the information in writing (provide only a summary of the call). Talk about writing out to individuals and organisations, use dummy cases to show good examples of what responses look like. Include a demonstrating of closing cases and decision reports. • **Session 3: Case List Discussion and Casework Spreadsheet** End of the week (this may need to be split into two sessions): Case officers should have finished summarising all cases. Open discussion about each case on the list. Discuss possible next steps on the case. Allow all ideas and encourage everyone to engage and give their thoughts and reasons. Allocate each person a case from the list to work on in preparation for the following week. Give information about how to add cases to the spreadsheet.

Casework Week 3: Introduction to Independent Decision Making

(Training week 6/DP Modules week 5)

Allocation & Resources	No allocation this week. Each person will now have 2 cases in their queue.

Aims	To understand the full casework process from allocation to closure and to be able to navigate the ICE 360 confidently. Begin to work on responses to live cases and act on feedback from trainers.

Learning Objectives	1. Identify correct contacts points 2. Naming conventions 3. Assess cases independently with support 4. Apply current learning to live cases 5. Putting cases on the spreadsheet ready for checking and respond to and action feedback as appropriate.

Lesson Plan	• **Session 1: Questions/Discussions** Beginning of the week: This session also allows for case officer directed questions or discussions that may help with their understanding after they have processed the previous weeks information before summarising the new cases. *Refer to their reflection questions as prompts.* • **Session 2: Contact Points, Naming Conventions, Questions & Discussions** Beginning of the week: Talk about and demonstrate naming conventions for attachments and identifying correct contacts (Will already have had a session on Verify DC in week 4 so more of a mini refresh). Explain that we will expect them to work on cases in their queue, drafting responses and putting them onto the spreadsheet for checking.

	Introduce the case breakdown form and ask them to send this to the trainers with each case they put on the spreadsheet. Case officers should now be aware of what happens with a case from allocation to closure. Discuss review process here. ***Note:*** *If case officers plan on using the phone then we should ask case officers to email a call plan with the case breakdown form when putting the case on the spreadsheet.* *(This won't be something that we will expect them to do forever but we can sign off pretty quickly on this, we just want to know that they're prepared going into the call and know what they're talking about). Case Officers will then email us the completed phone note on the case which we will need to check and then they can send the phone note to the case via email.* • **Session 3: Midweek Drop-in for Case Questions** Midweek: Plan 3 hours where trainers are online and available for drop sessions. Gives case officers opportunity to have our undivided attention on casework questions. The first case that we check for each case officer, we can get onto teams and they can screen share with us and we can watch them send the case and close the case if appropriate, to make sure they understand what they're doing. • **Session 4: End of the Week Drop-in for Case Questions** End of the week: Plan 3 hours where trainers are online and available for drop sessions. Gives case officers opportunity to have our undivided attention on casework questions. The first case that we check for each case officer, we can get onto teams and they can screen share with us and we can watch them send the case and close the case if appropriate, to make sure they understand what they're doing.

	Note: *If more drop-ins are required this week then add more in as appropriate. Support available through the chat too.*

Casework Week 4: Beginning to Work Independently and Case Change Awareness

(Training week 7/DP Modules week 6)

Allocation & Resources	Allocate 4 live cases. Previous 2 allocated cases should be completed/on the spreadsheet ready to be checked. Still allocate new cases (< 1 month old) Self-directed learning for people requesting additional work. +Dummy cases for case clinics if necessary

Aims	Begin to make independent decisions based on knowledge resources and develop self-directed learning skills. Be able to recognise own limitations and voice questions and contribute to discussions confidently.

Learning Objectives	1. Begin to work independently 2. Continue to develop independent learning skills by utilising knowledge resources. 3. How to be self-aware, knowing when to ask for help. 4. Identify own training and knowledge needs and communicating them with trainers. 5. Continue to engage with group case discussions (Case Clinic)

Lesson Plan	• **Session 1-5 (Daily): Questions & Discussions and In-depth Case Clinics:** Each Morning *(2 hours +/- depending on what comes in):* 1.Begin each session with the opportunity for case officer directed discussions. They can ask any general questions they like or raise any concerns they have. This may highlight areas for improvement/further teaching sessions required. **First session:** *Refer to their reflection questions as prompts.*

	2.Case clinic: As a normal case clinic. Ideally all questions will be explored, discussed and answered in full as a group. If anyone is really having difficulty understanding then we can have a 1 to 1 chat with that case officer after the group session to save time/embarrassment. 3.Some case officers may have case changes already and these should discussed as a group, they can present their case like we would in a case clinic and then we may want to pick some relevant dummy cases, show them examples of responses and talk about case changes in this way. Case officers will have already learned about the progression of a case from beginning to end from the dummy cases in previous weeks. So case changes shouldn't be too much of a surprise. ***Note****: Group sessions are going to be most useful, case officers can learn from each other. We want to build on their independent learning skills and aim to promote patience, resilience and less reliance on trainers giving them the answer immediately. We want them to work hard to find the answer for themselves and be confident in their decisions. Case officers should be encouraged to wait for case clinics to ask questions and to actively engage in the session. . It is for trainers to facilitate these sessions to ensure quality engagement.* *As per ICO 25, we should allow case officers freedom to complete cases in a way that we may not choose to, allow them to provide their reasoning and if it's not completely wrong, allow them to go with it.*

Casework Week 5: Independent Working

(Training week 8/DP Modules Completed)

Allocation & Resources	Aim for 5 cases in queues. Allocate some older cases this week. Ideally all the previously allocated cases should be on the spreadsheet/sent by now. People working at a slower pace should be topped up to 5 cases. Self-directed learning for people requesting additional work. +Dummy cases for session 1 – older cases +Dummy cases for case clinics if necessary

Aims	To continue to work independently and develop self-directed learning skills. Be able to recognise own limitations and voice questions and contribute to discussions confidently. To work pragmatically when allocated cases that don't fit the usual criteria.

Learning Objectives	1. Understand how to manage older cases 2. Continue to work independently 3. Continue to develop independent learning skills 4. How to be self-aware, knowing when to ask for help 5. Identify own training and knowledge needs 6. Continue to develop case presentation skills (Case Clinic)

Lesson Plan	Similar to week 4 but with the inclusion of an older cases session • **Session 1:** Monday morning: Discuss older cases and what case officers need to consider when a case is older – dummy case example. • **Session 2-6 (Daily): Questions & Discussions and In-depth Case Clinics:**

	Each Morning *(2 hours +/- depending on what comes in):* 1.Begin each session with the opportunity for case officer directed discussions. They can ask any general questions they like or raise any concerns they have. This may highlight areas for improvement/further teaching sessions. **First session:** *Refer to their reflection questions as prompts.* 2.Case clinic: As a normal case clinic. Ideally all questions will be explored, discussed and answered in full as a group. If anyone is really having difficulty understanding then we can have a 1 to 1 chat with that case officer after the group session to save time/embarrassment. 3.Some case officers may have case changes and these should be discussed as a group, they can present their case like we would in a case clinic and then we may want to pick up some dummy cases and show them examples and talk about case changes in this way. Case officers will have already learned about the progression of a case from beginning to end from the dummy cases in previous weeks. So case changes shouldn't be too much of a surprise. ***Note****: Group sessions are going to be more useful, case officers can learn from each other. We want to build on their independent learning skills and aim to promote patience, resilience and less reliance on trainers giving them the answer immediately. We want them to work hard to find the answer for themselves and be confident in their decisions. Case officers should be encouraged to wait for case clinics to ask questions and to actively engage in the session. It is for trainers to facilitate these sessions to ensure quality engagement.* *As per ICO 25, we should allow case officers the freedom to complete cases in a way that we may not choose to, allow them to provide their reasoning and if it's not completely wrong, allow them to go with it.*

Casework Week 6: Increasing Productivity

(Training week 9/DP Modules Completed)

Allocation & Resources	Aim for 6 cases in queues. Mixture of new and old cases. Ideally all the previously allocated cases should be on the spreadsheet/sent by now. • People working at a slower pace should be topped up to 6 cases. *We should now begin to investigate why certain individuals cannot keep up. Provide advice or managerial support if appropriate. The aim of this week is productivity and this is what we should be working towards.* • Self-directed learning for people requesting additional work. +Perhaps consider 1 working day in the office on a non-case clinic day.

Aims	Continue to work independently, decreasing reliance on trainer support and becoming more self-reliant. Work pragmatically using emerging professional judgement on cases that may seem different or more complex.

Learning Objectives	1. Increase productivity, taking on a variety of new and older cases, working pragmatically – case by case basis – seeking advice and support as required. 2. Be more confident in working independently and making own decisions, utilising available resources. 3. Continue to develop independent learning skills. 4. Continue to contribute to and engage with case clinics as a learning tool.

Lesson Plan	• **Session 1-3 (Mon, Wed, Fri): Questions & Discussions and Case Clinics:** Morning *(2 hours +/- depending on what comes in):* 1.Begin each session with the opportunity for case officer directed discussions. They can ask any general questions they like or raise any concerns they have. This may highlight areas for improvement/further teaching sessions. **First session:** *Refer to their reflection questions as prompts.* 2.Case clinic: As a normal case clinic. We can use these clinics as opportunities to address themes that are emerging when checking cases. ***Note****: This week case officers should be becoming more independent and self-sufficient. We should continue to encourage questions to be asked in case clinic. We will have increasing amounts of cases and case changes to check here so we will need to ensure we are managing our time effectively.*

Casework Week 7: Working Towards a Full Caseload

(Training week 10/DP Modules Completed)

Allocation & Resources	Aim for 7 cases in queues. Mixture of new and old live cases. Ideally all the previously allocated cases should be on the spreadsheet/sent by now. • People working at a slower pace should be topped up to 7 cases. *These individuals should have an action plan in place and working towards improvement. Manager should already be aware at this time.* • Self-directed learning for people requesting additional work. +Perhaps consider 1 working day in the office on a non-case clinic day.

Aims	Case officers should be working independently and managing their own time effectively. Managing caseloads and case changes in line with the ICO's service standards. Working towards a full allocation of cases. Case officers should continue to engage with and contribute to case clinics.

Learning Objectives	1. Continue to increase productivity, aiming to complete 7 cases by the end of the week. 2. Demonstrating confidence in working independently. 3. Finding answers independently and engaging with case clinics.

Lesson Plan	• **Session 1-3 (Mon, Wed, Fri): Questions & Discussions and Case Clinics:** Morning (1 hour): 1.Begin each session with the opportunity for case officer directed discussions. They can ask any general questions they like or raise any

	concerns they have. This may highlight areas for improvement/further teaching sessions. **First session:** *Refer to their reflection questions as prompts.* 2.Case clinic: As a normal case clinic. We can use these clinics as opportunities to address themes that are emerging when checking cases. ***Note****: This week case officers should be becoming more independent and self-sufficient. We should continue to encourage questions to be asked in case clinic. We will have increasing amounts of cases and case changes to check here so we will need to ensure we are managing our time effectively.*

Casework Week 8-12: Continuing Development

(Training week 11-15/DP Modules Completed)

Allocation & Resources	Aim to allocate 7-10 cases each a week, dependent on each case officer's development and ability. Mixture of new and old cases. +Perhaps consider 1 working day in the office on a non-case clinic day.

Aims	Case officers should be working independently and managing their own time effectively. Managing caseloads and case changes in line with the ICO's service standards. Working towards a full allocation of cases and requiring minimal support from trainers. Case officers should continue to engage with and contribute to case clinics.

Learning Objectives	1. Continue to increase productivity aiming to complete the weeks allocation by the end of the week. Should aim to complete at least 7 cases. 2. Demonstrating confidence in working independently. 3. Finding answers independently and engaging with case clinics as required

Lesson Plan	• **Session 1-3 (Mon, Wed, Fri): Questions & Discussions and Case Clinics:** (1 hour) 1.Begin each session with the opportunity for case officer directed discussions. They can ask any general questions they like or raise any concerns they have. This may highlight areas for improvement/further teaching sessions. **First session:** *Refer to their reflection questions as prompts.* 2.Case clinic: As a normal case clinic.

	We can use these clinics as opportunities to address themes that are emerging when checking cases. ***Note****: Case officers should be becoming more independent and self-sufficient. We should continue to encourage questions to be asked in case clinic. We will have increasing amounts of cases and case changes to check and feedback on here so we will need to ensure we are managing our time effectively.*

Notes:

Public Advice & Data Protection Complaints Services

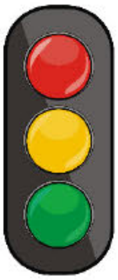
Training Manual

(New Starter Copy)

Training schedule, objectives, and skills matrix

Here you can find the training schedule for the next 15 weeks, along with the training objectives.

Please use the 'skills matrix' column to map your skills development throughout the program. We recommend that you use a traffic-light colour coding system to do this, by colour filling the cells of end column.



Red: Not yet trained on

Yellow: Currently being trained on

Green: Completed training

Week	**Scheduled training**	**Objectives**	**Skills matrix** (for your completion)
Week 1	Introduction to PADPCS	Introduce you to the department and what your role as a Case Officer in PADPCS will consist of	Choose an item.
	ICE360: Case Creation & Sift	Introduce you to our casework management system, with the aim of improving your systems knowledge, by setting up cases	Choose an item.
	Health & Safety training	Complete a training module on health and safety in the workplace, with a focus on your working environment	Choose an item.
	Microsoft Teams induction	Complete a training module designed to familiarise you with all the elements of Microsoft Teams	Choose an item.
Week 2	ICE360: Case Creation & Sift (continued)	Continue to improve your command of our casework management system by setting up cases	Choose an item.
	Data Protection (DP) training	Complete a number of bitesize training modules on the UK's data protection legislation and test your knowledge in workshops	Choose an item.

	Enquiries	Introduce you to the types of enquiries we receive and how to handle them appropriately	Choose an item.
	Introduction to Service Level Agreements (SLAs)	Introduce you to the timeframes in which we must respond to written correspondence	Choose an item.
	Postal process	Introduce you to how to deal with postal correspondence including how to send a postal response	Choose an item.
	Introduction to Domestic CCTV	Introduce you to the law surrounding individuals using CCTV on their properties, or being filmed by someone else's CCTV system, and how to respond to enquiries of this nature	Choose an item.
Week 3	DP training	Complete a number of bitesize training modules on the UK's data protection legislation and test your knowledge in workshops	Choose an item.
	Enquiries	Become competent at handling enquiries	Choose an item.
	Corporate Style and Corporate Narrative	Introduce you to writing clearly and concisely, while adhering to the ICO's corporate style, and our key themes and messages	Choose an item.
	Freedom of Information (FOI) and Privacy and Electronic Communications Regulation (PECR) training	Complete training modules on the Freedom of Information Act and the Privacy and Electronic Communications Regulations.	Choose an item.
Week 4	DP training	Complete a number of bitesize training modules on the UK's data protection legislation and test your knowledge in workshops	Choose an item.
	Inappropriate Disclosures training	Develop an understanding of how to mitigate the risk of inappropriately disclosing information to the incorrect party	Choose an item.

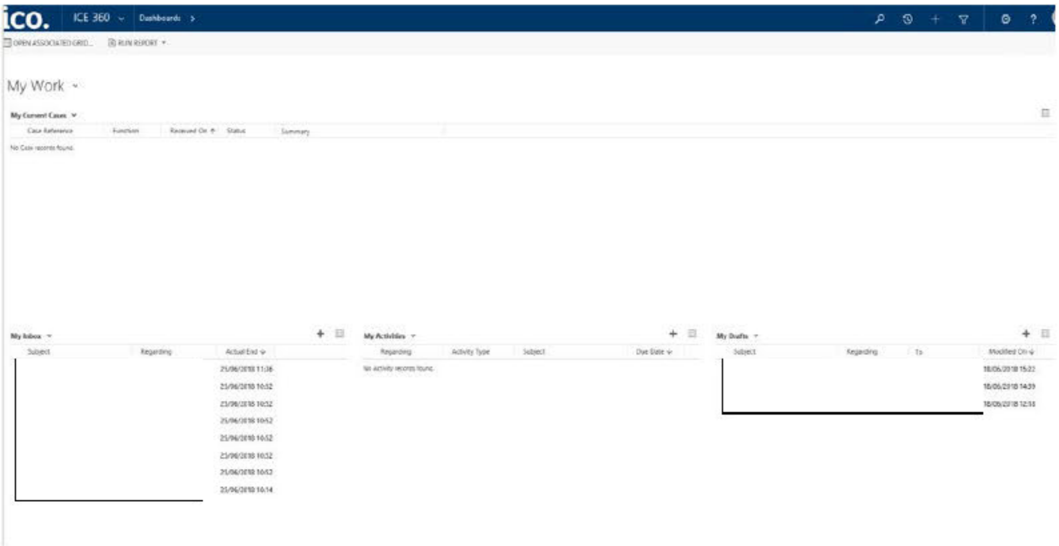
	Verifying an organisation's contact details	Develop an understanding of how to verify an organisation's contact details across a number of different resources	Choose an item.
	Letters of Authority	Develop an understanding of when we may need to see a Letter of Authority from a complainant and what information it should include	Choose an item.
	Service Adjustments	Develop an understanding of our policies and procedures on service adjustments	Choose an item.
	Casework training: Outcomes	Introduction to casework and our objectives, and begin to apply this knowledge on live and dummy cases	Choose an item.
	Introduction to Case Reviews	Introduction to case officer reviews, service reviews and manager reviews	Choose an item.
Week 5	DP training	Complete a number of bitesize training modules on the UK's data protection legislation and test your knowledge in workshops	Choose an item.
	Helpline training (stage 1)	Listening into calls to get a feel for the kinds of enquiries we field on the helpline.	Choose an item.
	Casework training: Outcomes	Continue to develop casework skills on dummy/live cases	Choose an item.
Week 6	DP training	Complete a number of bitesize training modules on the UK's data protection legislation and test your knowledge in workshops	Choose an item.
	Helpline training (stage 1)	Listening into calls to get a feel for the kinds of enquiries we field on the helpline	Choose an item.
	Casework training: Outcomes	Continue to develop casework skills on live cases	Choose an item.

	Introduction to restricted cases: Whistleblowing and Gender Recognition	Introduction to restricted cases, eg whistleblowing and gender recognition, and develop an understanding of when and how to refer these concerns to the relevant teams within PADPCS	Choose an item.
Week 7	DP training	Complete a number of bitesize training modules on the UK's data protection legislation and test your knowledge in workshops	Choose an item.
	Helpline training (stage 1)	Listening into calls to get a feel for the kinds of enquiries we field on the helpline	Choose an item.
	Casework training: Outcomes	Continue to develop casework skills on live cases	Choose an item.
	Difficult caller workshop	Complete training on how to handle more difficult calls	Choose an item.
	Handling Service Adjustments on the Helpline	Further develop an understanding service adjustments and informal adjustments when on the helpline	Choose an item.
Week 8	Casework training: Outcomes	Continue to develop casework skills on live cases	Choose an item.
	Helpline training (stage 2)	Begin to take helpline calls, gradually building up to taking all the calls over the course of a four-hour shift	Choose an item.
Week 9	Casework training: Outcomes	Continue to develop casework skills on live cases	Choose an item.
	Helpline training (stage 2)	Continue to take helpline calls, aiming to take all the calls over the course of a four-hour shift	Choose an item.
Week 10	Casework training: Outcomes	Continue to develop casework skills on live cases	Choose an item.
	Helpline training (stage 2)	Taking helpline calls over the course of a four-hour shift. The final stage 2 shift will be completed by a Training School LCO to	Choose an item.

		confirm sign off onto the next stage	
Week 11	Casework training: Outcomes	Continue to develop casework skills on live cases	Choose an item.
	Helpline training (stage 3)	Take helpline calls independently with a Training School LCO available to answer any questions	Choose an item.
Week 12	Casework training: Outcomes	Continue to develop casework skills on live cases	Choose an item.
Week 13	Casework training: Outcomes	Continue to develop casework skills on live cases	Choose an item.
Week 14	Casework training: Outcomes	Continue to develop casework skills on live cases	Choose an item.
Week 15 - Graduation	Casework training: Outcomes	Continue to develop casework skills on live cases	Choose an item.

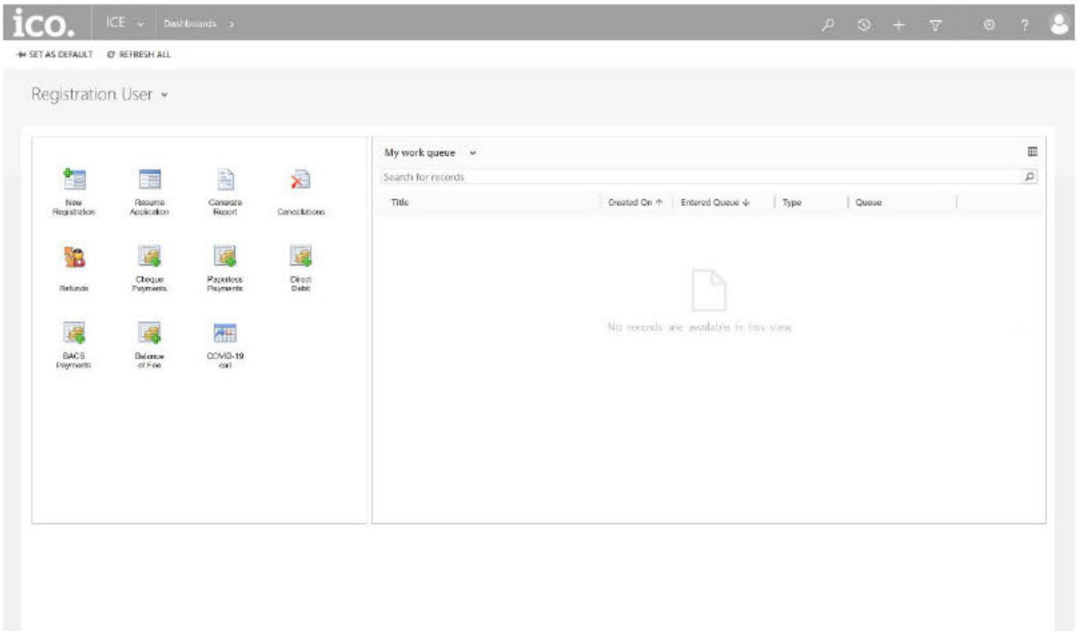
ICE360

ICE360 is the ICO's case management system. Accessible via the 'Apps' dropdown on Iris.



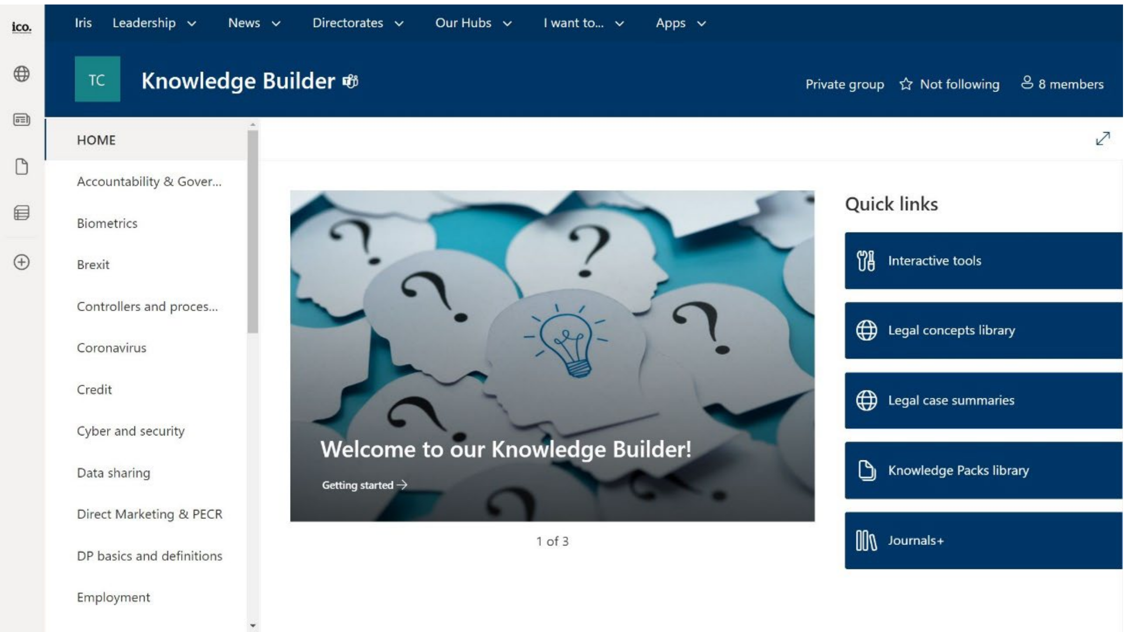
ICE Registration

ICE Registration is the ICO's database of organisations registered with us. PADPCS has a 'read-only' access to this database. Accessible via the 'Apps' dropdown on Iris.



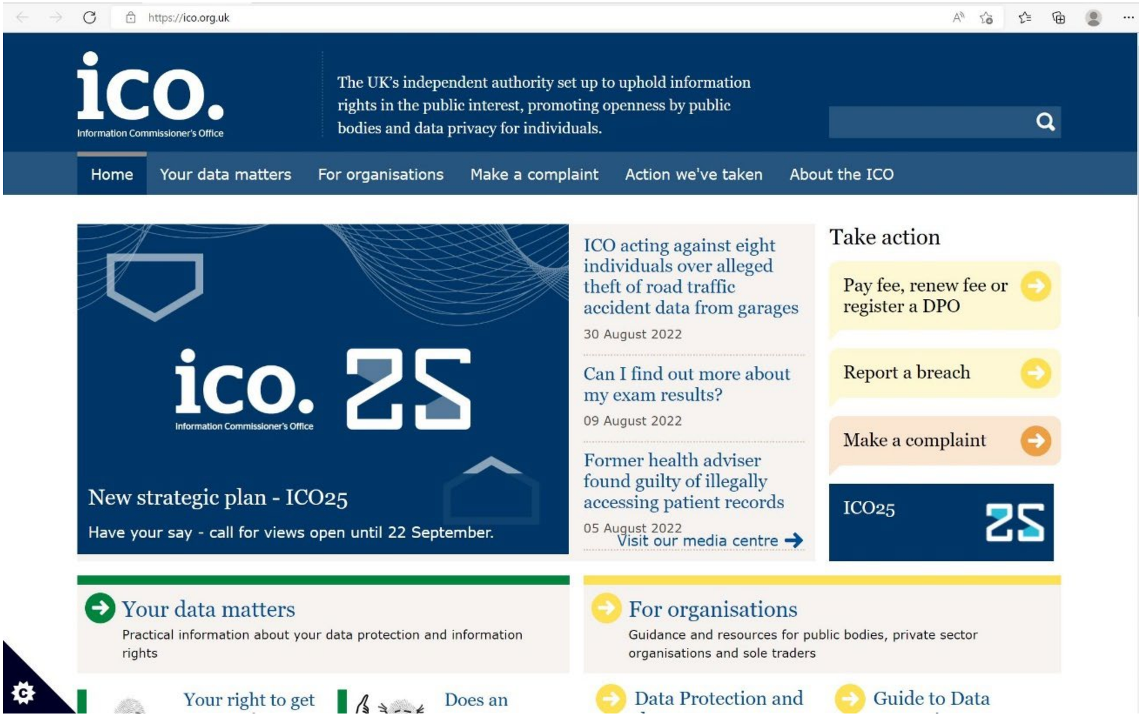
Knowledge Builder

The Knowledge Builder is a resource designed and managed by the ICO's Knowledge Service, used to build your Information Rights knowledge. It can be accessed through Iris, via the 'Our Hubs' drop down. Click on 'Knowledge' and then Knowledge Builder.



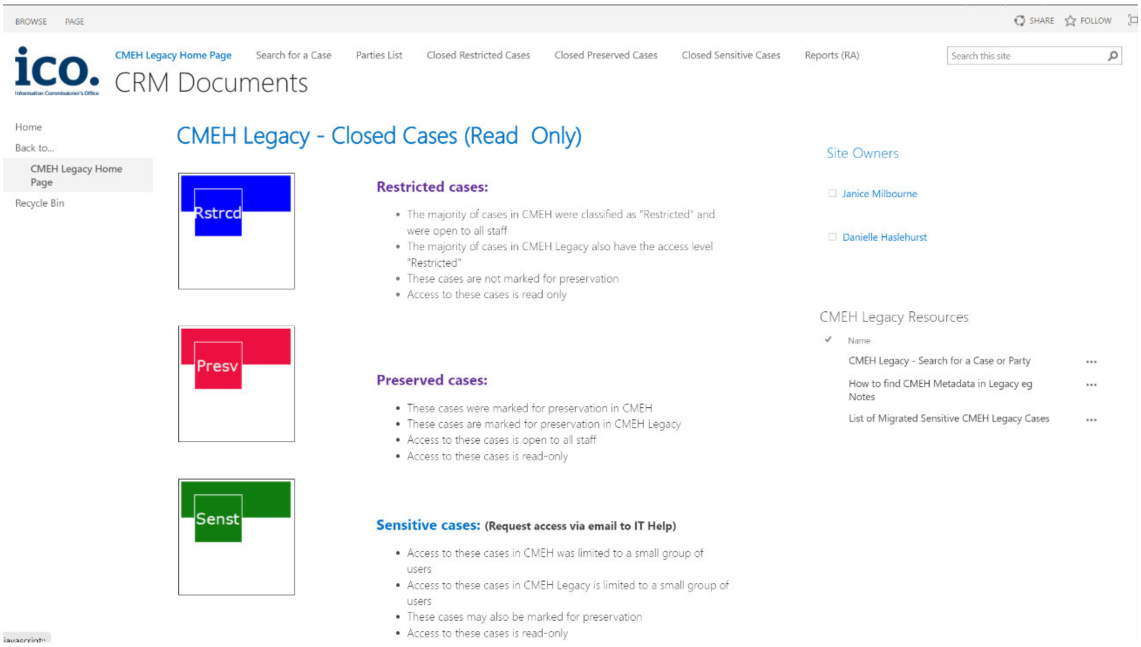
ICO website

The ICO website is another resource we use frequently, designed to improve information rights knowledge of both the public and organisations. It can be accessed at ico.org.uk or via the 'Apps' dropdown on Iris.



CMEH Legacy

CMEH Legacy is read-only access to our old casework management system. It can be used when we need to refer back to old cases when necessary. Accessible via the 'Apps' dropdown on Iris.



Acronym Buster

General PADPCS acronyms

Acronym	Definition
CO	Case Officer
DC	Data Controller
DP	Data Protection or /Data Processor
DPA	Data Protection Act
DS	Data Subject
DSAR / SAR	Data Subject Access Request / Subject Access Request
EDRM	Electronic Discovery Reference Model
GM	Group Manager
HL	Helpline
HTC/II	How to Complain / Insufficient Information
IICSA	Independent Inquiry into Child Sexual Abuse
ICO	Information Commissioner's Office
LC	Livechat
LCO	Lead Case Officer
LOA	Letter of Authority
LPA	Lasting Power of Attorney
LPP	Legal Professional Privilege
PA	Public Authority
PDB	Personal Data Breach
SLA	Service Level Agreement
SME	Small to Medium Enterprise
TM	Team Manager
WB	Whistleblow

Organisations

Acronym	Definition
Cafcass	The Children and Family Court Advisory and Support Service
DCMS	Department for Culture, Media and Sport
FCA	Financial Conduct Authority
FCO	Foreign and Commonwealth Office
FOS	Financial Ombudsman Service
GMP	Greater Manchester Police
MOD	Ministry of Defence
MOJ	Ministry of Justice
MPS	Metropolitan Police Service
NCA	National Crime Agency
NCSC	National Cyber Security Centre
PHSO	Parliamentary and Health Services Ombudsman

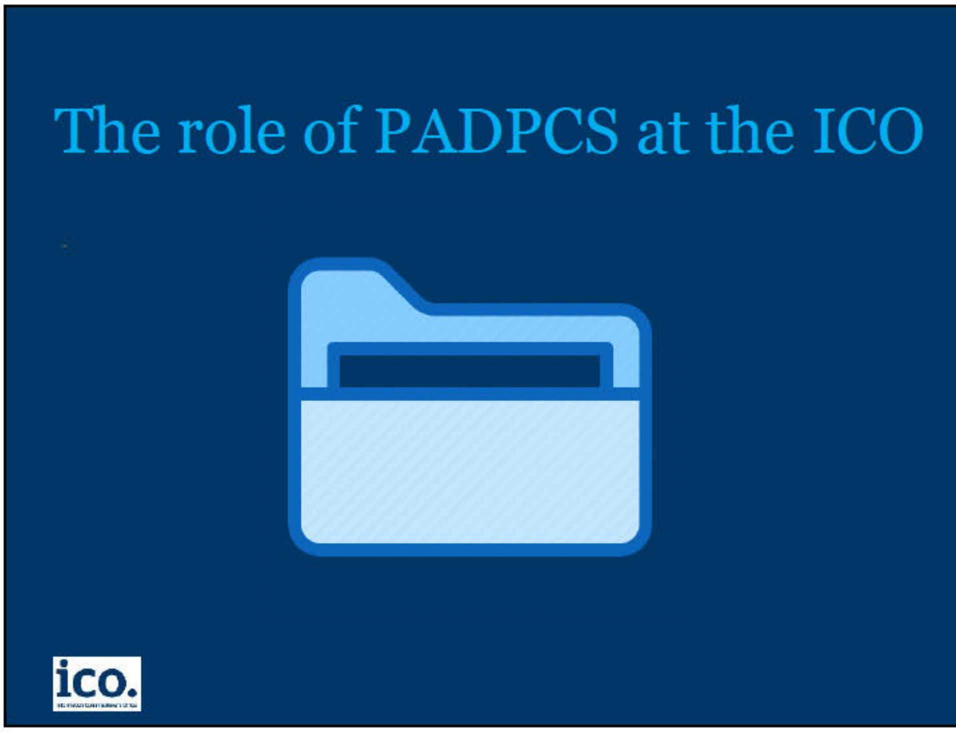
ICO departments

Acronym	Definition

CViT	Civil Investigations
CrIT	Criminal Investigations
PADPCS	Public Advice and Data Protection Complaints Service
PDB	Personal Data Breach (Team)
IH	Intelligence Hub
FOI	Freedom of Information (Team)
BAS	Business Advice Services

Legislation

Acronym	Definition
DPA 1998	Data Protection Act 1998
DPA 2018	Data Protection Act 2018
GDPR	General Data Protection Regulation
FOIA	Freedom of Information Act
EIR	Environmental Information Regulations 2004
PECR	Privacy and Electronic Communications Regulations 2003
NIS 2018	Network and Information Systems Regulations 2018
EIDAS	The Electronic Identification and Trust Services for Electronic Transactions
GRA	Gender Recognition Act



PADPCS means Public Advice and Data Protection Advice Service.

Part 1 – What we do

- ✓ To understand the purpose of PADPCS
- ✓ Provide an overview of the work we do
- ✓ Look at the wider tasks of PADPCS

ico.

This is a short presentation that will look at where our department fits into the ICO. Most of the things we cover in part 1 you may already be aware of as we have touched on it in earlier sessions. However, as you are now at the start of your casework journey we wanted to give you a quick recap.

Part 1 looks at what we do:

- **Understand the purpose of PADPCS-** So why does the department exist
- **Overview of the work we do** – Such as written casework/live services
- **Wider tasks of PADPCS** – We undertake a number of other responsibilities such as dealing with MP's correspondence as one example. These will be explored further

Part 2: Is how we do it. This will give you an introduction to casework. The aim of this is for you to get a flavour of how we do casework. There are no expectations on you at all today, we just want you to be mindful of a couple of things that will help you in your development of casework and when you start to properly look at cases over the next few weeks.

What is the purpose of PADPCS

- Under section 165 of the DPA says that the ICO has a statutory obligation to provide a response;
- To uphold the information rights of the public, who bring their data protection complaints to us;
- To promote good information rights practices within organisations;
- Placing emphasis on cases for those who are most **vulnerable**, and organisations who we can add **value** to their overall practices.

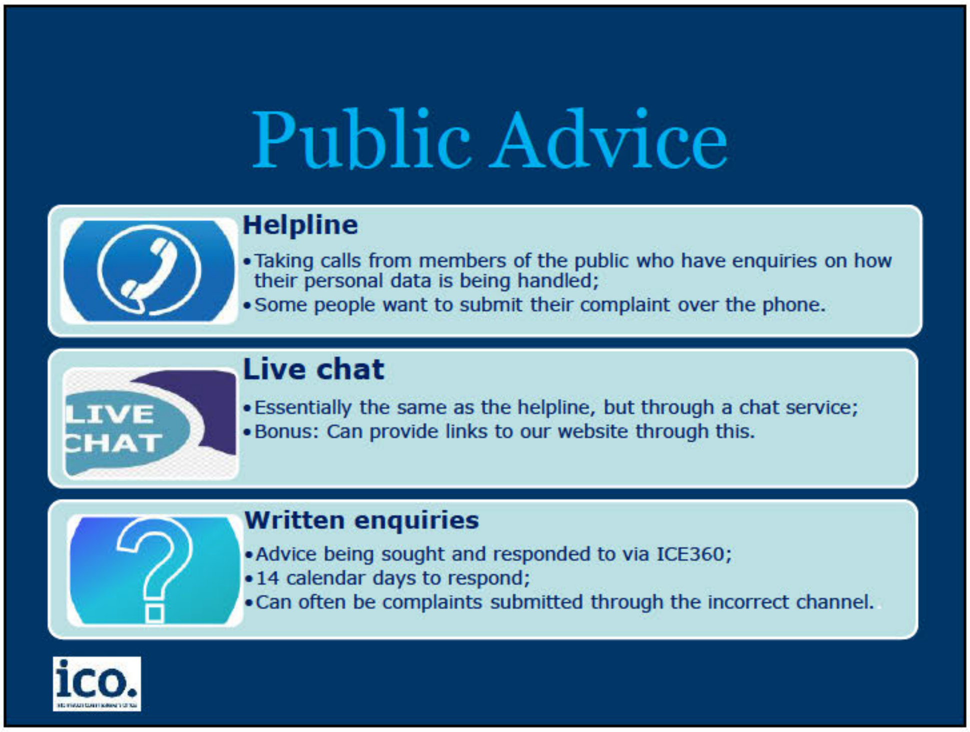
PADPCS fall under the ICO's Regulatory supervision service – as suggested by our name, we provide two main functions. The first is written casework:

- The only bit of legislation you'll hear from us in this PP. In line with section 165 of the DPA the ICO have a statutory obligation to respond to complaints it receives. We have the freedom to decide how these are responded to however we place added emphasis on complaints where we have the more of an opportunity to make more of a difference to peoples lives and organisations overall practices. In turn we assess these cases on an induvial basis to determine whether there is an opportunity for us to improve an organisation practices or whether we are satisfied with how a complaint has already been handled.

- Ultimately we are here to uphold the information rights of the public who raise data protection complaints to us if they believe their personal data has not been handled appropriately. We are responsible for considering complaints relating to the Data Protection Act 2018 and the UK GDPR.

- We want organisations to be responsible for the information they hold and if we believe they can improve the way they process it we will educate them on how to do this.

- This is known as the 'Two V's' that we'll discuss quite often in our sessions. But in a nutshell, when deciding how to proceed with a case two of the main factors we take into consideration. Vulnerable meaning that if the processing of their PD will put them in a vulnerable position. Value meaning can we add value to the organisations overall information rights practices.



We also operate a range of live services providing advice to members of the public. We have a Helpline, a Live Chat service and we respond to written Public enquiries. ***[Note to trainer: You may want to use the below annotations, but it's likely they will be aware of this already]***

- **Helpline** – You all should have had some time listening in to the helpline so far. This is a phone service offering general advice to members of the public. We get a wide variety of calls, but generally we are asked about how to complain to the ICO, or whether they have a valid reason to be concerned about the way their personal data has been handled. We don't offer technical advice, but we aim to inform people of what their rights are and what organisations obligations are. Although we prefer people to submit complaints online, there are some who will make a request to do this over the phone. There are a number of reasons for this, one of which is that they may have a reasonable adjustment that means that makes it more suitable for them to submit a compliant on the phone. Never the less, their complaint will still subject to the same thresholds that complaints submitted online are. As you can expect, there's a wide variety of callers who contact us and some are more difficult than others. However, we will always aim to be professional in the way interact with the public.

- **Live chat** – This is essentially the same as our phone service but it's just a different communication method. Therefore, the types of enquiries are the same and we often receive requests to submit a complaint through Live chat. An added bonus for this service is that we can provide links to customers so it is easier to send them a link to our complaints page, or for guidance.

- **Written enquires** – You would have all done some written enquiries by this point but this falls under the public Advice strand of PADPCS. These are essentially questions that are submitted by the public that are responded to in our ICE360 case management system where there is a SLA of 14 calendar days to respond. The types of enquiries we get can vary, and some may be a complaint that's been submitted through the incorrect channel, some are asking for the view of the ICO on certain data protection matters. In any event we aim to offer the highest level of customer service by providing guidance and next steps where required.

Other functions of PADPCS

- **Sift** – a small team of case officers working through our icocasework inbox to ensure correspondence is distributed to the correct department and work queues.
- **MP correspondence** – Responding to members of parliament who send us correspondence.
- **Gender recognition** – Department rep who handles all correspondence relating to the Gender Recognition Act 2004.
- **Whistleblowing** – Department who determines whether we have received a genuine WB concern and will follow the appropriate process.
- **Parliamentary Health Service Ombudsman 'PHSO'** – An organisation who informs us that a complaint has been made about a case previously handled by us. Department reps who liaises with them directly.

In addition to casework and our live services, there are a number of other functions PADPCS looks after. You will receive further in depth training about these in your policy and procedures training. **[optional to include the below descriptions]**

These are:

- **Sift** – Our sift team are responsible for working through the ICOCASEWORK inbox where most of the communication to the ICO is sent. This could be for our information access dept, FOI aswel as for PADPCS. It's their job to work through this inbox and determine where each correspondence belongs within ICE 360. This is an important job and the sift team are relied on ensure complaints go into the correct sector specific work queue to ensure that any problem DC's can be monitored.

- **MP correspondence** – There are a number of MP reps in each group who are rotated on to respond to MP correspondence on a weekly basis. Correspondence is sent to the Private office inbox who then forward it to the 'Elected reps' inbox that a select few have access to. The types of queries we receive can range from an MP asking for advice as a result of a constituent contacting them, raising complaints on behalf of a constituent, or asking us to review the handling of a complaint made by their constituent.

- **Gender recognition cases** – You will receive separate training on this. But the ICO must act inline with the Gender Recognition Act 2004 which makes it an offence to disclose such information to third parties. Therefore, we have a department rep who handles all concerns sensitively relating to the GRA 2004 via a restricted SharePoint page.

- **Whistleblowing** – Just like with GR cases, you will receive separate training on this. Our whistleblowing concerns come to us through an even mixture between the HL and written communication. We have a department rep who liaises with our intel department to determine whether we have a genuine WB concern. The rep then collates the reports and creates restricted access cases on SP.

- **PHSO** – Customers have the right to report the ICO to the PHSO if they are unhappy with a case review they've requested. We have a number of department reps who are rotated on a weekly basis who correspond with them. This could be providing further information to conduct their investigation or providing feedback to a case officer as a result of PHSO intervention.

Part 2 - How we do it

- ✓ Customer journey
- ✓ ICO25
- ✓ What does ICO25 mean for PADPCS
- ✓ The 2 V's
- ✓ Examples of how we approach casework
- ✓ Case discussions

Now that we have explained **what** PADPCS does. We will now look at **how** we do it. As explained earlier, the goal of this is for you to get an idea of the way we work and the factors we take into consideration when looking at a complaint we receive. We will end the PP looking at a few sample cases for us to discuss as a group.

- **Customer journey** – This will be an opportunity for you to briefly understand the cycle of a complaint from when it is submitted to it being allocated to a caseworker.

- **ICO25 vision** – You may have received a lot of emails or heard people mention this. So we will look at what this means for us and the impact it has on the work we do.

- **The 2 V's** – We will look at the 2 V's in more detail and the things we should consider when looking at a complaint.

- **Examples of how we approach casework** – Before we have a discussion about cases, we will give you some examples of how we may provide an outcome on a case. We hope by providing this it will help you briefly understand our remit and help facilitate the case discussions.

Lets start by first looking at the customer journey: ***Note to trainer: Discuss in as much or little detail the customer journey depending on the NS current understanding of the dept.***

- **Step 1** - Submits a complaint. As a side note we have a statutory obligation to respond within 3 months. However, the cases you will eventually be working on are around a month old.
- **Step 2** - Complaint arrives in our sift work queue
- **Step 3** - Complaint is turned into case and allocated to the correct work queue
- **Step 4** - Case is allocated to a caseworker. We aim to have a case completely wrapped up within 6 months of receipt. Under ICO25 we anticipate this to be a much shorter timescale.
- **Step 5:** Identify the data protection issues and determine what the ICO can do to help resolve complaint. ***(Note to trainer: You may wish to inform NS that the following slides will look at theICO25 vision which will be a factor in how we resolve a complaint)***

Now that we have explained the customer journey, the next stage is how you as a CO will decide on the how an outcome of a case will be provided. But in order to do this you will need to know about our ICO25 vision. You may have heard this term through other workshops and emails already. To explain, we get a new Commissioner appointed every 4 years and they set out their vision for their term. Our new Commissioner, John Edwards was appointed in 2022 has also set out his own priorities that he'd like the ICO to focus on.

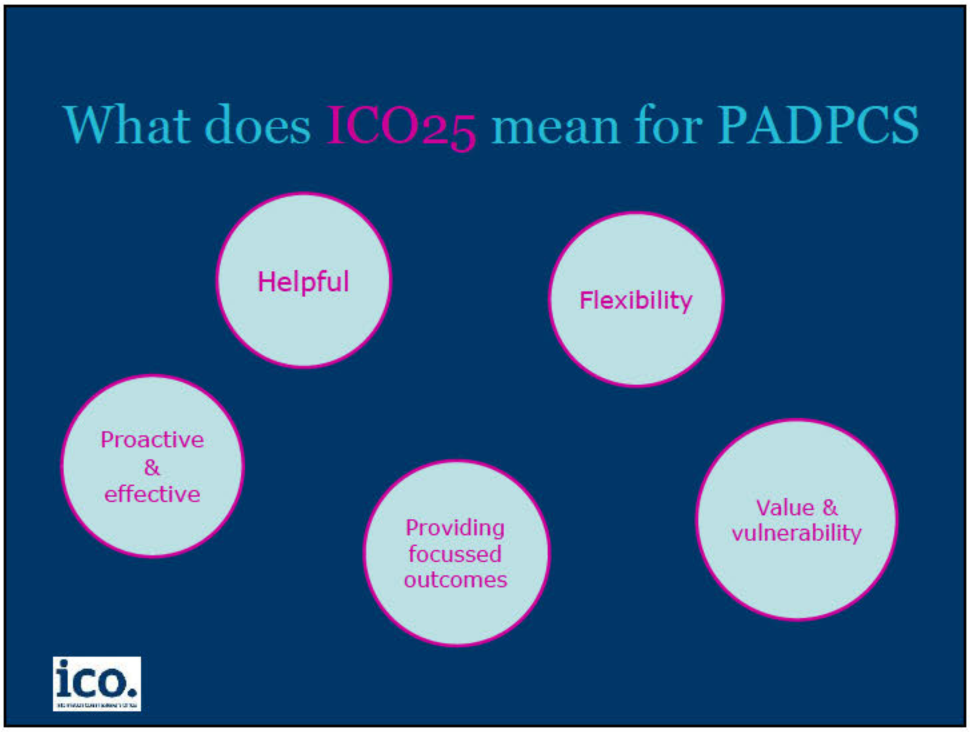
[Note to trainer: slide designed for the purpose of giving a brief overview of what the actual ICO25 mandate is. No need to go into more detail than what's in the below notes]

This isn't an exhaustive list but these are a few of the objectives set out in the vision. It's quite corporate but it touches on the main points. The next slide will discuss what it all means for us as a department.

- **Safeguarding and empowering the public** – We want to do more in trying to understand the views and concerns of the public and use this to guide our priorities. We will focus on interventions where there is greatest harm and risk and take enforcement action where necessary to make a difference in peoples lives.

- **Further transparency by the ICO for organisations** – We want to provide certainty about what the data protection laws requires from organisations and what we will do if things go wrong. We also aim to create searchable database for organisations to allow them to see what action we have taken we have taken and what recommendations have been made. This in turn will empower organisations to take the appropriate measures before the ICO becomes involved but also informative to the public in them deciding if they think the ICO can help them in their complaint.

- **Development of culture within the ICO** – We want to deliver impactful outcomes that focuses on the difference it'll make to the induvial and educate the organisation.



Note to trainer: In order for NS to understand ICO25, it may be worth briefly touching on previous ways of working. [Trainer explains we were quite ridged in the types of outcomes we provided and bound by process]

- **Proactive & effective** – By dealing with complaints in a timely way means we can tackle the issues as they are occurring. This enables us to provide effective changes where we deem there's elements of vulnerability to the complainant or valuable changes we can make to an organisation to 'nip issues in the bud'. (may want to explain 3 month backlog)

- **Be helpful** – Whilst considering if there's been a breach of the DP regulations will always be part of our work, not all people who complain to us want to know this. This can also set off more of a dispute for our complainants as some believe a breach warrants enforcement action when it doesn't. We want case officers to be more helpful by explaining 'what's next' once we have received a complaint, take a decision on whether we can make a meaningful impact to the complainant or organisations and explain what we will do with their complaint.

- **Providing focused outcomes** – This links with the last point about moving away from informing an org/person of a breach and completing the case there. We want to empower case officers to provide outcomes to ensure meaningful improvements are made that are focused on the complaint. We want case officers to be confident and feel supported in the discretion they use.

- **Flexibility** – We have always been a department where we have flexibility in the way we handle complaints. However, that has always been bound by certain processes. The ICO25 allows case officers to have more discretion and flexibility deal with the case how they deem fit knowing they will be supported in the decision they take.

(optional examples)

Example 1- a non response SAR – rather than writing a formal letter to a DC, if we have a phone number, we can call them, ask them to respond to the SAR and put a note on the case. Again, this links back to the point where on these occasions the complainant isn't interested if a breach has occurred, they just want their information.

Example 2 - If we receive a complaint where there has been an infringement, but we can see that DC has taken remedial steps to ensure this will not happen again, we can inform the complainant that we're satisfied with the steps they have taken and the complaint will be logged but not taken forwards. [Trainer may want to explain previous approach about breaching and closing the case as NFA].

- **'The two V's'** – You will hear this term quite often within PADPCS. This means 'value and vulnerability'. There are no exhaustive lists of these and the meaning will be continuously evolving. By centring our approach around the 2 V's, it will allow us to determine our approach on a case, whether we can add value to an organisations information rights practices or whether the complaint at hand determines that the complainant is vulnerable to risk.

- Overall, ICO25 is a concept that empowers us to place most effort where we can make a real difference and that we can adopt a number of different approaches to achieve this. As new members of staff to the ICO you will also play an important role in cementing this vision. Over the next few weeks you will have plenty of case studies to work on and discussion sessions to look at the types of complaints we receive and work out how best to approach them.

- The next couple of slides will look at the 2 Vs in further detail. We will then take what we have learnt, and look at a couple of sample cases as a group to see whether we'd determine if they fit under the 2 Vs and if they don't look at how to approach the case.

What is valuable?

- Can we meaningfully improve an organisations information rights practices?
- Does the organisation have continued information rights breaches?
- Has the organisation taken steps to ensure the data breach does not occur in the future and are you satisfied with them?
- Has the organisation fully explained their rationale to the use of data to the complainant?
- Does the way in which personal data was used reflect the DC's overall DP practice?
- Does the processing involve special category/sensitive personal data?
- Does the issue have an effect on a large number of individuals; does the issue relate to a high priority matter

Buzz word bingo!

As previously mentioned when approaching cases we look at the 2 V's to measure whether the ICO can make an impact on the case at hand. There isn't an exhaustive list on what we define as valuable or vulnerable as we treat complaints on a case by case basis. However, here are some factors we should think about before deciding to take a course of action on a case.

It's important to note that large majority of the complaints we receive will not fall under the 2 Vs.

- **Can we meaningfully improve an organisations information rights practices?** – In most cases we can, however our approach to decide how much guidance/time we can give the organisation will vary on the individual concern. When did the incident take place, has the individual raised their concern with the DC (where necessary), has the individual allowed the DC enough time to respond etc..?

- **Does the organisation have continued information rights breaches?** – This is where we may spend a little more time in considering whether the case is referred to our intel hub to see whether they're a known controller to them. Despite this, we should determine what more the organisation should do in ensuring instances of the breach do not occur in the future. We may choose to inform them of the consequences if they continue to work in this manner, or we may request further information from them before deciding on an outcome.

- **Has the organisation taken steps to ensure the data breach does not occur in the future and are you satisfied with them?** – Depending on the scale of a breach or impact it has on the complainant. If we don't think the organisation has satisfactory steps in place we may consider informing them of this.

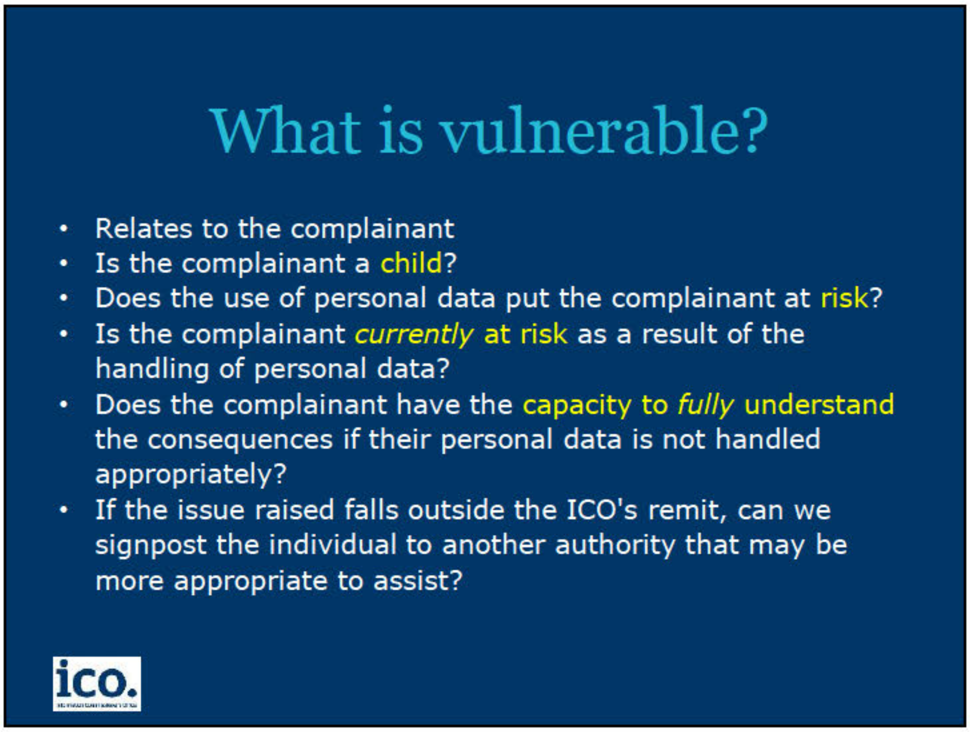
- **Has the organisation fully explained their rationale to the use of data to the complainant?** – This falls under the accountability principle that you will shortly look at. If it is not clear how the organisation chose to process data in such a way, and believe the complaints warrants further instruction or information from the organisation you may consider writing to them.

- **Does the way in which personal data was used reflect the DC's overall DP practices?** – This is quite an important one as if we don't make any recommendations or ask for further information it may mean that the DC will continue to misuse data and therefore the ICO receiving more complaints.

- **Does the processing involve special category/sensitive personal data?** – This could fall under both Value and Vulnerable. However, when dealing with special cat and sensitive data there are additional protections in place for this information and therefore we have to ensure we provide an outcome that reflects the importance of this.

- **Does the issue have an effect on a large number of individuals; does the issue relate to a high priority matter?** – Some cases we deal with form part of a high priority complaint where we have a specific process to follow in providing an outcome. But also, this is an opportunity for the ICO to set a precedent on the powers we have and the law we can lay down.

- Any questions?



Lets now look at the things we should consider for vulnerable.

- **The term vulnerable usually solely relates to the complainant**.

- **Is the complainant a child?** – This probably the only characteristic that means a complaint that falls under the 2 V's and is recognised throughout the ICO. We have done a lot of work on the Children's Code that is led Karen Bolton and cases that are submitted by a child should should be directed to her. It is also important to differentiate a complaint where a parent is submitting it about their child's data as this **may** not fall under the 2 V's, as oppose to a child submitting it.

- **Does the use of data puts the complainant at risk** –is data being used in a way that will have a detrimental effect on the complainant. We often see these types of complaints in the social work sector where children's records are shared with estranged family members who are deemed at risk to the child.

- **Is the complainant currently at risk as a result of the handling of**

personal data? – Has the misuse of data meant that the complainant is now in a vulnerable position? Are they at risk of further repercussions?

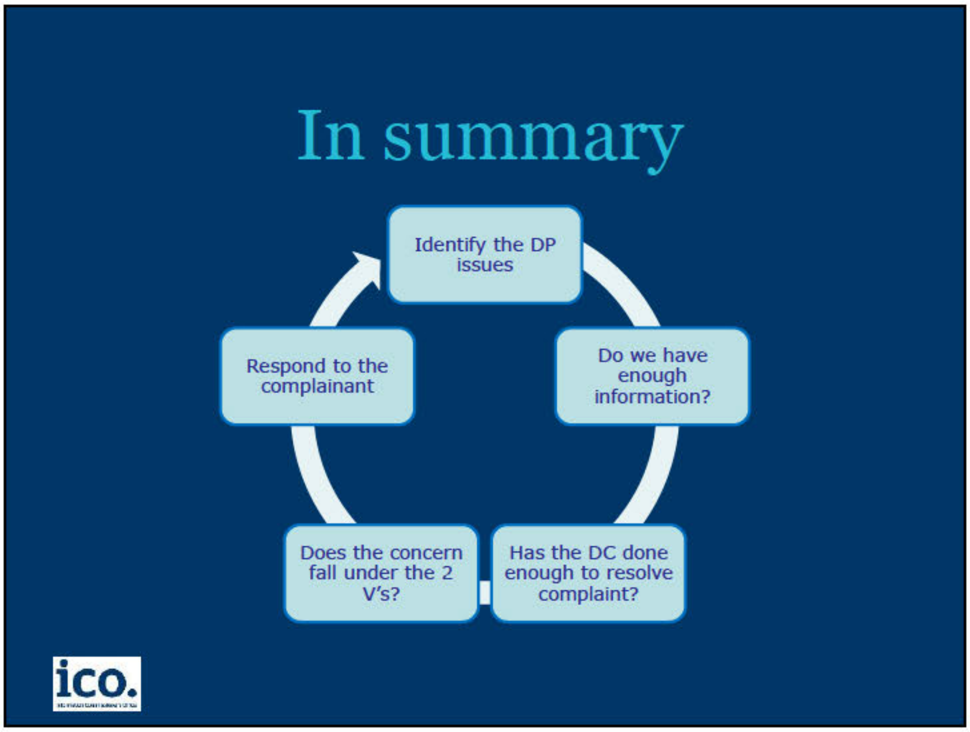
- **Does the complainant have the capacity to fully understand the consequences if their personal data is not handled appropriately?** Do we need to adapt our approach to an outcome to ensure they do?

- **If the issue raised falls outside the ICO's remit, can we signpost the individual to another authority that may be more appropriate to assist? –** This relates back to the helpful element we mentioned earlier**.** Whilst we will always try to be helpful within the remit we have, If we feel the complainant does not understand the wider resources available to help them, then we can assist with this.

Approaches

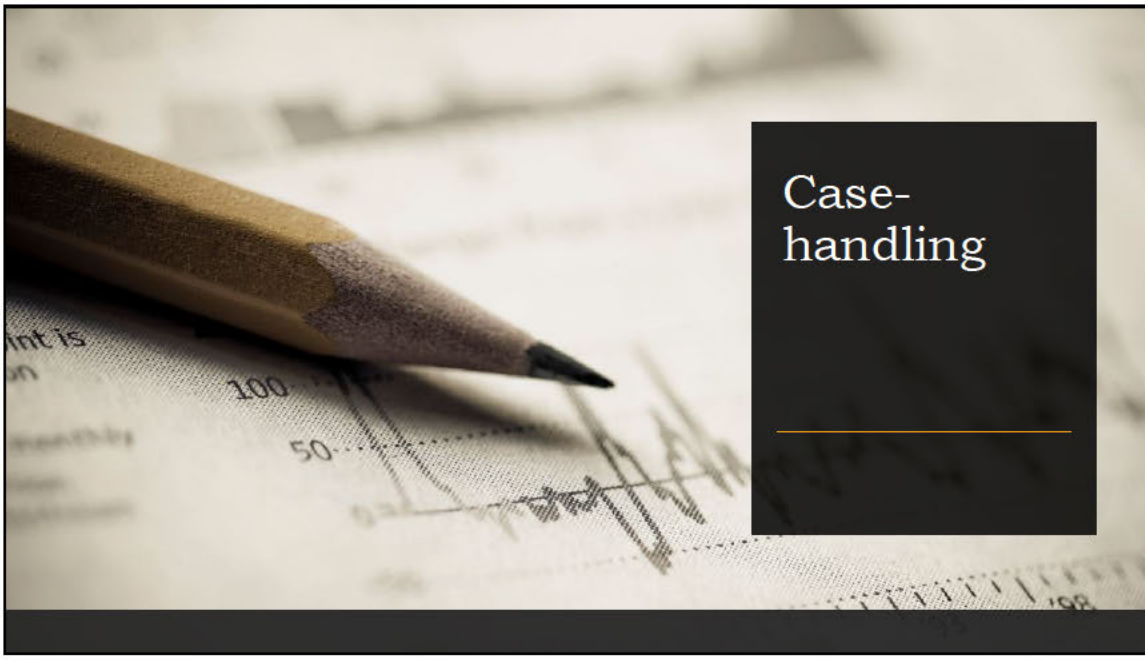
- If the DC has explained what they have done and this appears to be sufficient we can refer to this and say no further action required;
- If other steps need to be taken we need to advise of this. This can be done in writing or by phone;
- If there is no evidence to show that DC has looked into what has happened or has taken any steps to prevent situation from happening again we ***may*** need to question them about their procedures, say what we expect and direct them to any guidance that would help;
- If the DC has not responded to the complainant about the concern raised we want them to do so, particularly in terms of rights eg providing a copy of the data.
- Do we have enough information about the complaint? We can ask the complainant for further info;
- Is the complainant acting on behalf of someone else? We may need to ask for a LOA.

As explained, there are no clear and definite lines on how each case should be treated. We have full flexibility on how we proceed with a case ensuring we consider the two V's. This slide is an overview of the types of approaches you may consider taking. Based on whether you think the complaint falls under the 2 V's, you have the freedom to decide how you will communicate this information to the DC or complainant. Some may choose to use the phone, some may write a short email giving specific instructions, or the complaint may warrant you writing to an organisation and informing them of the legislation.



In summary we are allocated the complaint, and must then identify the data protection issues and if we have enough information. We have to determine whether the DC has done enough to resolve the complaint and whether it falls under the 2V's. Depending on this, we should then determine the best way to provide an outcome to the complainant and whether we should reach out to the DC or yet to get further information from the complainant.

Questions…



Case-handling

The role of PADPCS

Section 165 of the DPA 2018:

Investigate data protection complaints to the extent appropriate and provide an outcome to the complainant

Individuals are entitled to submit a complaint to the ICO if they feel their info rights have been infringed.

The law does not define what an investigation entails, or what an appropriate extent means, or what an outcome has to be. It is for the ICO to decide on a case by case basis what is appropriate

Outcomes are typically about providing advice to the DC (if relevant). We do have regulatory powers but we don’t typically take regulatory action on the basis of the individual complaints. We use the complaints to build a picture of organisation’s practice and if a pattern of poor performance becomes apparent that is when we might take further action

Our overall aim in providing an outcome

Improving the organisation's information rights practices

What is the level of detriment

What is the most effective way to close the case

Relevant advice to resolve the complaint as well as improve overall practices

Does the complaint demonstrate a failing in the organisation's info rights practices.

Can we say whether they are likely or unlikely to have complied with their obligations, is there anything they could have done better to avoid the complaint coming to us.

Detriment- is it something that needs raising with enforcement to consider regulatory action, or is it something quite minor that doesn't require an in-depth investigation

Closing the case- It isn't always necessary to give a view on compliance, sometimes it isn't clear one way or the other but we could close the case by proving some advice to the DC if we think there is something they could have done better or if there is something we think they could do to resolve the complaint but we don't feel we are in a position to say they have not complied

We can look to provide advice that resolves the actual complaint- eg ask the DC to respond to a SAR as soon as possible – and also to improve their overall practices, such as staff training, updating their retention policy

Phrasing

Outcome are not legally binding

- Likely
- Unlikely
- In our view
- On the basis of the information available

Writing for the audience

Outcomes are not legally binding, we don't give an definitive answer to say that someone's rights have been infringed, and this is reflected in the way we word our outcomes. This makes it clear that we are providing an opinion.

We are most often writing to people who aren't familiar with the legislation- so bear this in mind

What to look out for

- When was the complaint submitted

- Has the DS allowed enough time for the DC to respond to their complaint or information rights request

- Is the correspondence with the DC dated in the last 3 months

- Is it a data protection issue

In general they need to allow a month for the DC to respond, whether that is a complaint or a request. Requests include SARs, as well as erasure, rectification, objection

Complaint cases won't generally be set up on the basis of copied correspondence but it can happen

Public Advice Enquiries

Overview
October 2022

Information Commissioner's Office

Public Advice Enquiries

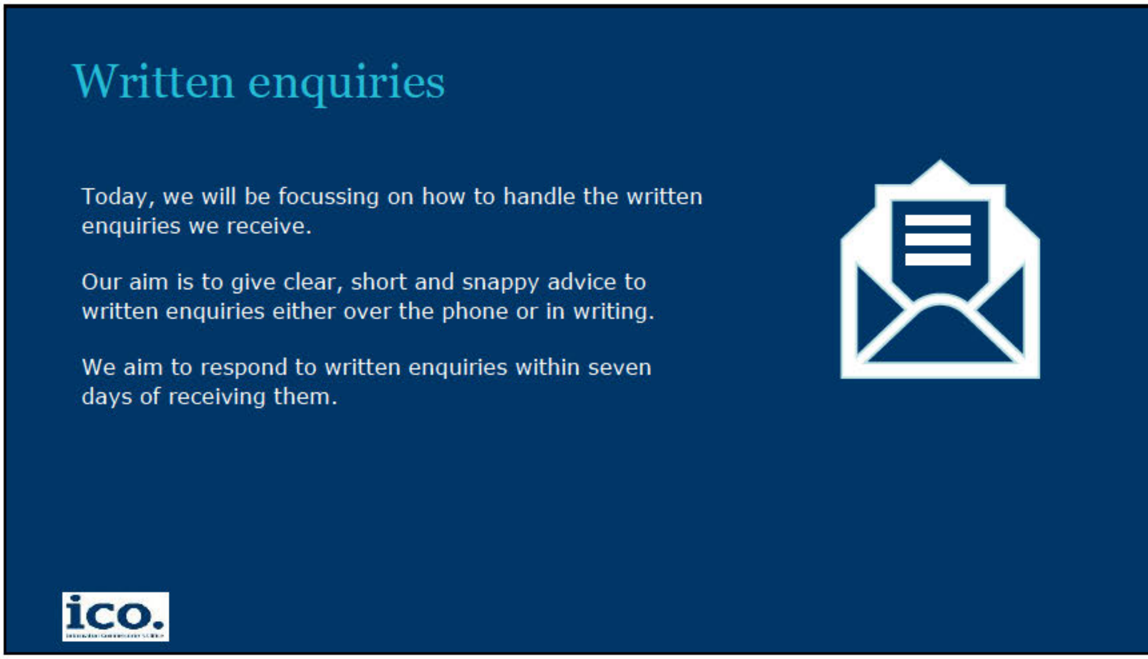
In PADPCS, we operate a range of live services providing advice to members of the public. We run a Helpline and Live Chat service and we respond to written public enquiries.

Our customers will contact us by email or by post. Where a written response is required then we will typically aim to reply by email.

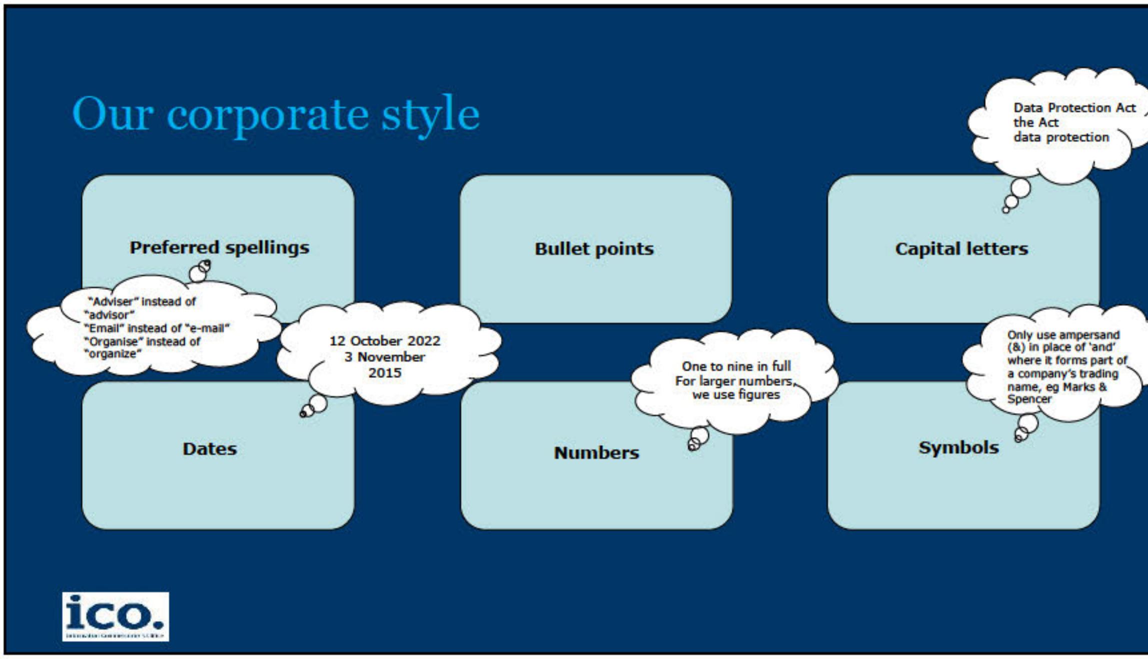
However, if a customer contacts us via post and we're unable to respond via email, then we may need to respond by post.

Where a telephone number is provided, it is often quicker and a better customer experience to answer a customer's enquiry by phone.

LCO trainer to discuss the range of different circumstances in which an individual may write to us requesting advice, eg s



This slide covers written responses to the written enquiries we receive, but we can also resolve our customer's concern over the telephone – which is the recommended way. We'll come onto this shortly.



LCO trainer to discuss the importance of clear writing at the ICO. Eg, we are all responsible for making sure our customers, stakeholders and colleagues understand and have confidence in wat we write.

We need to make sure our written communications are clear and easy to follow. This isn't easy, so we have the 'Keeping it Clear' guide to help.

The guide contains advice that had be tried, tested and found to aid good communication. There are some tips and tricks, and a small number of rules introduced to make sure our communications are consistent. We should follow these corporate style preferences at all times.

The English language is constantly changing it's important that we periodically think about our use of it. Some words we might not have thought of as 'proper English' in the past are now perfectly acceptable. Some of the rules we learned at school have no real basis and can get in the way of clear communication.

Capital letters – for the police, the council, all lowercase. This is in the keeping it clear guide.

ICO25 Keeping it Clear project - Keeping it Clear project (sharepoint.com). Our new Commissioner has confirmed the importance of plain, clear and humanising writing under ICO25.

Our corporate style and identity

- Our corporate font is Verdana 12pt
- We use one space after full stops and commas
- We avoid using block capitals
- We avoid underlining
- We limit the use of italics, although they can be used for quotations
- We ensure that text is left justified

Left justified – aligned in a straight line on the left margin

Example

External: This email originated outside the ICO.

Dear ICO,
I am receiving unsolicited marketing emails on a daily basis. What can I do about it?
Regards,
Mr Barlow

Model answer

Dear Mr Barlow,

Thank you for your email of [DATE].

If the unsolicited emails you have been receiving are marketing emails, you can unsubscribe from them using the link within the email.

If there is no unsubscribe link provided, or if you have already unsubscribed but continue to receive them, you can report the emails to us.

You can also ask an organisation that is sending you marketing emails to stop using your personal data for marketing purposes. This is known as your right to object. Further guidance on how to do this, together with a template letter, can be found on the link provided.

I hope this information is helpful to you. If you would like to discuss this further, please contact me on my direct number 0330 313 XXXX. If you need advice on a new issue you can contact us via our Helpline on 0303 123 1113 or through our live chat service. In addition, more information about the Information Commissioner's Office and the legislation we oversee is available on our webs te.

Yours sincerely,

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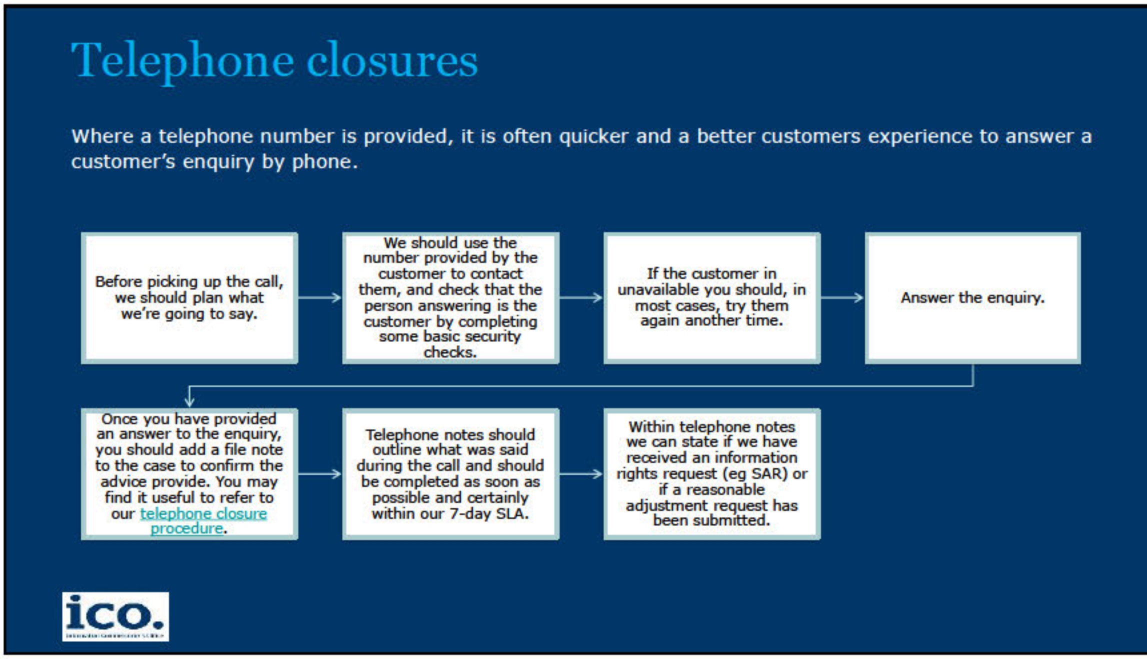
1. Answer the question first – give practice advice using website guidance hyperlink (uses hyperlink instead of trying to cover all bases eg whether it would be marketing, whether its from a uk based/legit company, or to an individual or corporate email address). We just introduce this guidance.
2. we don't direct the individual to DP complaint form at this stage – why? We direct them to self serve
3. Addresses the correct legislation – the focus of this response should be on PECR eg unsolicited emails should be sent without prior consent, apart from in limited circumstances. The right to object should be mentioned, as additional guidance

3. Avoids jargon – we arent quoting legislation. Just explain what they need to know. Use a style that suits the customer.

For our spam emails reporting tool, we use the information to provide, investigate and take action against organisations that are not following the rules around direct marketing. We do not respond to complaints through this tool individually, so we're unlikely to contact the customer about this again, unless we need any further ifnormation to help with our investigations.



Calling allows us to ask more questions, is more personal and also allows the case officer the opportunity to seek clarity where appropriate.

Before picking up the phone it is a good idea to plan what you are going to say. E.g.

1. what section of the GDPR/DPA/PECR/FOIA/EIR the enquiry relates to;
2. how the legislation relates to the customer's enquiry;
3. look at any available guidance on the website and direct the customer to this to support your advice; and
4. it is important to anticipate any further questions that may arise out of the discussion.

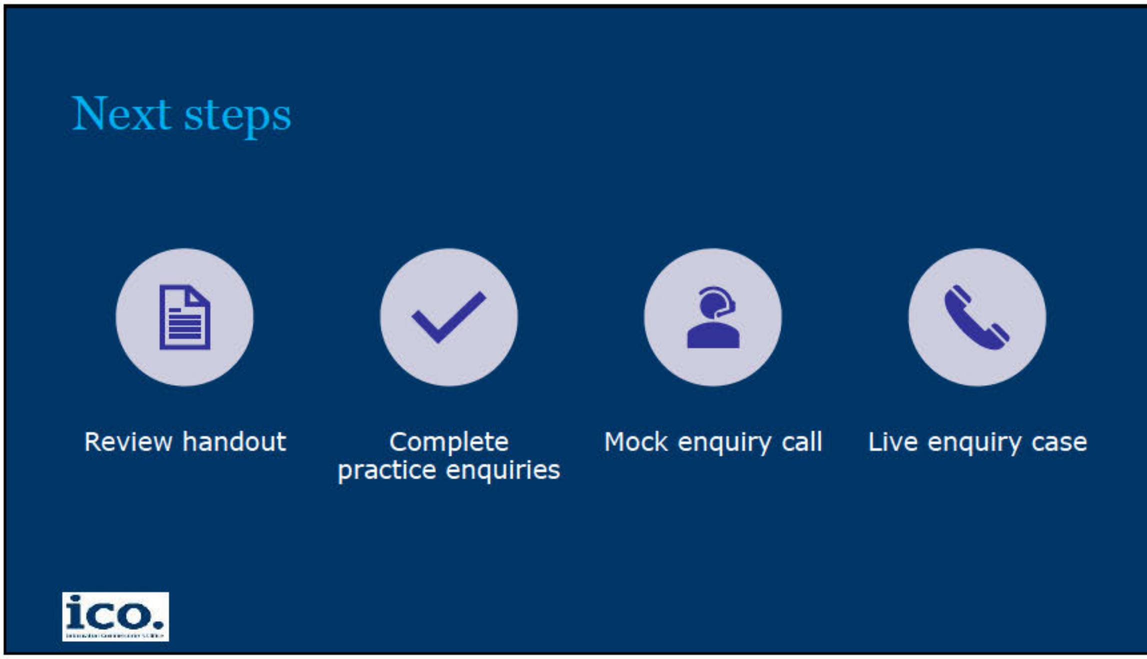
Security checks could be:

1. identify yourself and advise you are calling from the ICO;
2. explain that it is in relation to an email/letter we have received;
3. ask them to explain what the enquiry is about;

4. if you are in any doubt that you are speaking to the correct person ask them to confirm their email/postal address; and
5. complete the security section on the telephone contact closure form.

LCO trainer to talk through the importance of telephone notes. E.g We don't record calls and so telephone notes are important.

We'd also ensure to write down any agreed actions, however agreed actions on enquiries are less likely than on complaint, as the advice we give our customer should help them self-serve. Actions could include following up in writing.



We will shortly follow up this session with a handout that summarises everything in this presentation, and contains some model answers and practice enquiries for you to complete.

You should refer to the ICO’s corporate style guide when constructing your answers and make sure to keep yours responses short and clear. Once you’ve finished each response, please sent it on to your LCO trainers for feedback.

Accountability

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Information Commissioner's Office

Aims and objectives

- What is accountability?
- How does it relate to our case work?

Information Commissioner's Office

- This presentation is designed to inform you about what accountability means under the GDPR and how this principle is important within our case work.

Accountability Principle

Article 5 (2)
"The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 ('accountability')."

There are two key elements:

- First, the accountability principle makes it clear that organisations are responsible for complying with the GDPR.
- Second, organisations must be able to **demonstrate their compliance**

The Accountability principle is an important principle to consider when we are looking at complaints from the public.

Article 5 (2) is our accountability principle and the legislation states:

"The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 ('accountability')."

Paragraph 1 which is Article 5 (1) sets out 6 principles of the data protection legislation. You will have learned about these in you DP modules, we wont go into detail here but briefly as a recap, they are:
[or test them!?]

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)

Article 5 (2) is the 'bonus' seventh principle – ACCOUNTABILITY.

ACCOUNTABILITY Principle – Sets out 2 key parts
The accountability principle requires organisations to take

responsibility for what they do with personal data and how they comply with the other principles.
They must have appropriate measures and records in place to be able to **demonstrate their compliance**.