



Department for
Business, Energy
& Industrial Strategy

BUSINESS IMPACT TARGET: SUMMARY TEMPLATE

Non-qualifying Regulatory Provisions
(NQRPs) summary reporting template

Regulator: Information Commissioner's Office

Business Impact Target Reporting Period Covered: 16 December 2021 to 15 December 2022

Excluded Category	Summary of measure(s), including any impact data where available
Measures certified as being below <i>de minimis</i> (measures with an EANDCB below +/- £5 million)	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU Withdrawal Bill and EU Withdrawal Agreement	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Measures certified as concerning EU Withdrawal Bill operability measures	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Pro-competition	<p>The Information Commissioner's Office (ICO) approved Certification Schemes in the areas of age appropriate design, age assurance, and asset disposal. Fifty organisations applied for certification. The schemes certify that products, services and processes provided are compliant with data protection legislation.</p> <p>The ICO is also a member of the Digital Regulation Cooperation Forum (DRCF), working with the CMA, Ofcom, and FCA to explore the impacts of data protection and competition law in digital markets. The DRCF's 2022-23 workplan outlines a focus on fostering competitive online advertising markets that deliver innovation and economic growth, while respecting consumer and data protection rights. And over 2022 the ICO has been working with the CMA to review Google's emerging proposals to phase out third-party cookies; and Apple's App Tracking Transparency and Intelligent Tracking Prevention features.</p>
Systemic Financial Risk	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Civil Emergencies	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.

Excluded Category	Summary of measure(s), including any impact data where available
Fines and Penalties	<p>The Information Commissioner's Office has issued fines of over £1.7m for breaches of the Privacy and Electronic Communications Regulations and approximately £13.5m under the Data Protection Act and General Data Protection Regulations.</p> <p>In respect of non-registrations just under 30,000 notifications of intent have been issued generating over £800k; primarily from businesses.</p>
Misuse of Drugs	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
Measures certified as relating to the safety of tenants, residents and occupants in response to the Grenfell tragedy	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
Casework	<p>The ICO handles complaints from individuals under the Data Protection Act and the General Data Protection Regulations. In the reporting period the ICO received 34,000 complaints from the public about data protection issues of which over a third relate to businesses.</p>
Education, communications and promotion	<p>Guidance has been published on privacy-enhancing technologies. And the ICO launched two reports on Biometric Technologies to help advise businesses.</p> <p>The ICO also consulted on its statutory code of practice for journalism, clarifying how the law applies to journalism. Following this consultation the code has been further revised and is now out for a further consultation.</p> <p>Over the reporting period the Information Commissioner's Office also published new guidance to help industry comply with the law including on:</p> <ul style="list-style-type: none"> • research, archiving and statistics; and • employment related issues including employee monitoring and the handling of health data. <p>Information relating to international data transfer agreement and guidance was published to help businesses transferring personal data outside the UK.</p> <p>A pilot has been launched to provide data protection guidance to small and medium sized enterprises understand data protection. Just under 50 companies have signed up and the pilot will be evaluated in January 2023. Feedback to date is good.</p>

Excluded Category	Summary of measure(s), including any impact data where available
Activity related to policy development	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Changes to management of regulator	<p>The office welcomed John Edwards as the new Information Commissioner early in the period.</p> <p>And following a listening exercise, the office has issued a new plan, ICO25, effective from October 2022 taking the organisation through to October 2025.</p>