

DCMS CONSULTATION: DATA - A NEW DIRECTION

A shopping list of changes

The DCMS consultation details a number of changes to the UK's data protection framework under the guise of ensuring organisations' handling of data is more efficient, flexible and pro-innovation.

The overall aim is to render the UK a leader in digital trade and the world's most attractive data marketplace.

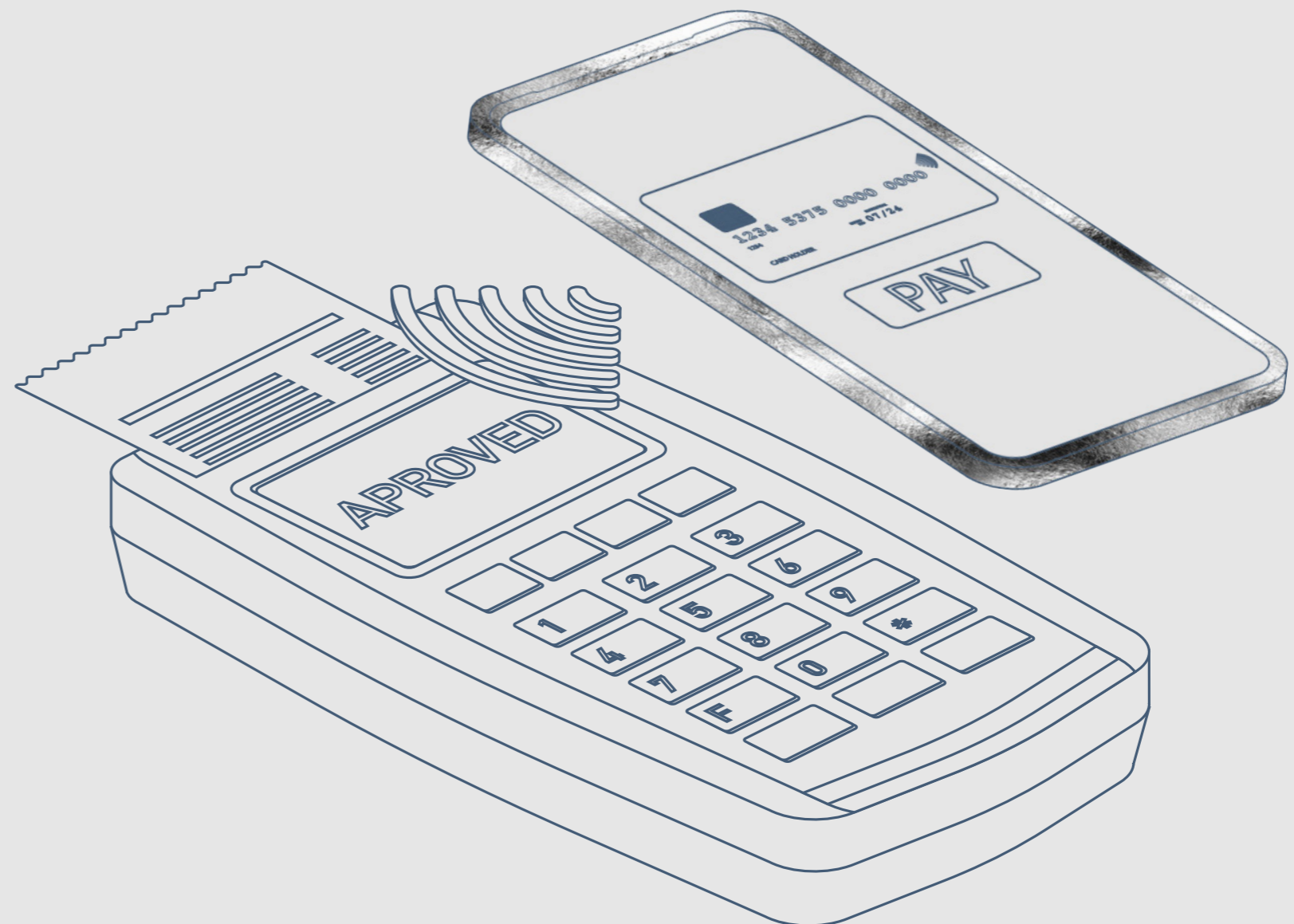
But what are the broad areas of change proposed that we think will impact digital retailers?

1. REDUCE COMPLIANCE BURDENS ON RETAILERS...

through the creation of more flexible Privacy Management Programmes and reforming prescriptive requirements including removing DPO requirements and the need to maintain records of processing activities.

2. GIVING MORE RIGHTS TO USE COOKIES...

with proposals to permit organisations to use analytics without consent helping ensure website tracking data is accurate. Proposals also suggest use of legitimate interests for use of cookies where impact is minimal on consumers.



3. BOOSTING TRADE AND REDUCING BARRIERS TO DATA FLOWS...

allowing for more, smoother transfers of data across the globe, taking a UK specific approach to adequacy findings, and focussing on proportionality for data transfers - including making it clear that derogations can be relied on repetitively.

4. REDUCE BARRIERS TO RESPONSIBLE INNOVATION...

by reducing reliance on explicit consent and supporting the use of AI and anonymised data opening up new opportunities for data analytics including providing specific grounds on which personal data can be used.

Examples include using data to avoid bias in AI, ensuring security of networks, improving safety of products, and use of data for internal research to improve customer services.

5. REFORMING DATA SUBJECT ACCESS RIGHTS...

to bring back fees for requests. Proposals also include permitting organisations to refuse to respond where access to personal data or concerns about processing are not the purpose of the request.

If you would like to discuss any of the proposed changes in more detail, please do get in touch with our data protection team.

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