

ICO consultation on the draft framework code of practice for the use of personal data in political campaigning

It is vital in any democratic society that political parties, candidates and campaigners are able to communicate effectively with voters. But it is equally vital that all organisations involved in political campaigning use personal data in a way that is transparent, understood by people and lawful.

Our current guidance on political campaigning is outdated. It has not been updated since the introduction of the GDPR and does not reflect modern campaigning practices. We have therefore drafted and are now consulting on a new framework code of practice for the use of personal data in political campaigning. This will serve both as helpful guidance in its own right as well as having the potential to become a statutory code of practice if the relevant legislation is introduced.

The framework code of practice does not introduce new requirements for campaigners but seeks to explain and clarify data protection and electronic marketing laws as they already stand. It also seeks to provide practical guidance and useful examples on ways campaigners could comply with their obligations whilst carrying out common political campaigning activities.

Before drafting the framework code of practice, the ICO launched a call for views in October 2018. You can view a summary of the responses and some of the individual responses on our website. The responses have helped inform the content of the draft framework code.

We welcome views on the draft framework code of practice. Please send us your responses by **Friday 4 October 2019**.

Privacy Statement

For this consultation, we will publish all responses except for those where the respondent indicates that they are an individual acting in a private capacity (e.g. a member of the public). All responses from organisations and individuals responding in a professional capacity will be published. We will remove email addresses and telephone numbers from these responses; but apart from this, we will publish them in full.

For more information about what we do with personal data please see our [privacy notice](#).

Questions

Q1 Does the draft framework code adequately explain and advise on the aspects of data protection and electronic marketing laws which are relevant to political campaigning?

- Yes
- No

Q2 If not, please specify where improvements could be made.

Q3 Does the draft framework code contain the right level of detail?

- Yes
- No

Q4 If no, in what areas should there be more detail within the draft framework code?

Q5 Does the draft framework code provide enough clarity on the law and good practice on the use of personal data for political campaigning?

- Yes
- No

Q6 If no, please indicate the section(s) of the draft framework code which could be improved, and what can be done to make the section(s) clearer.

Q7 Does the draft framework code cover the right political campaigning activities?

- Yes
- No

Q8 If no, what other activities would you like to be covered in it?

Q9 Does the draft framework code appropriately recognise and understand the ways in which political campaigning takes place in practice in the online world?

- Yes
- No

Q10 If no, in what way does the draft framework code fail to recognise and understand this?

Q11 Does the draft framework code provide examples relevant to your organisation?

- Yes
- No

Q12 Please provide any further comments or suggestions you may have about examples in the draft framework code.

Q13 To what extent do you agree that the draft framework code is clear and easy to understand?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Q14 Are you answering as:

- An individual acting in a private capacity (e.g. someone providing their views as a member of the public of the public)
- An individual acting in a professional capacity
- On behalf of an organisation
- Other

Please specify the name of your organisation:

The Law Society of Scotland

Thank you for taking the time to share your views.