

## **UK**

### **Credit Referencing Industry has a “Good Understanding” of Data Protection**

The Information Commissioner's Office (ICO) has published a report which concludes that the credit referencing industry has a “good understanding of data protection”. A review of three key consumer credit reference agencies revealed that they had “robust controls” in place to ensure the accuracy of the personal data they were processing, that data was shared appropriately and that staff received adequate training on data protection issues.

[ICO – news release – September 2014](#)

### **ICO Calls for Efficient Data Protection Procedures on Change of Name or Gender**

In a new blog post, the ICO has reminded organisations of the need to have policies and procedures in place to allow individuals who have changed their name or gender to assert their data protection rights. Organisations should provide an efficient and secure means for individuals to change their personal details and consider whether it is necessary to retain records of former name and gender. The ICO stresses the importance of getting these issues right first time to avoid damage and distress.

[ICO blog – October 2014](#)

### **Annual Report Published by Scottish Information Commissioner**

The Scottish Information Commissioner has laid her Annual Report before Parliament. The report explores the performance of the Information Commissioner's office across the year 2013/14, particularly with regards Freedom of Information (FOI) enforcement, and introduces plans to take FOI forward in Scotland in the future.

[Scottish Information Commissioner – Annual Report 2013/2014](#)

### **New Guidance on Bring Your Own Device**

The Government has published new guidance for organisations on the security issues they must consider before adopting a Bring Your Own Device (BYOD) approach across the organisation. The guidance highlights that organisations should follow the ICO's own recent BYOD guidance. Staff should be asked to agree to a BYOD policy specifying what information they can access and share and organisations should put in place security measures, such as authentication procedures, and have a clear plan on how to manage a data loss incident.

[Government BOYD guidance - October 2014](#)

### **Council's Decision to Refuse to Confirm or Deny Under FOIA Upheld**

The First Tier Tribunal (Information Rights) has upheld a decision of the ICO that a Council was right to refuse to confirm or deny whether it held any information on the mental health of the applicant's neighbours, pursuant to the 'confirm or deny' exception in section 40(5)(b)(i) Freedom of Information Act 2000 (FOIA). The Council had said that confirmation of the position in respect of one neighbour but a failure to confirm in respect of another would amount to an admission that it held relevant data in respect of the latter, in breach of data protection principles. The Tribunal agreed.

[Michael Goodall v ICO](#)

### **Ofcom Reviews its Policy on Silent and Abandoned Calls**

Ofcom is reviewing its policy on when to take enforcement action against a person who 'persistently misuses an electronic communications network or service', particularly by making silent or abandoned calls, contrary to the Communications Act 2003. Ofcom has issued a call for inputs on how its policy on nuisance calls might be improved. This is part of an overall review of enforcement powers in this area being undertaken in conjunction with the ICO. The deadline for comments is 7 November 2014.

[Ofcom call for inputs – October 2014](#)

## **Germany**

### **New Draft Law on IT Security Raises Privacy Concerns**

The Association of Data Privacy Officers of Germany (BvD) has commented on a new draft law from the German Federal Ministry of the Interior concerning the improvement of IT security in companies and official bodies in Germany. Overall, the BvD welcomes the draft but criticises some of its elements. In particular, the draft law sets out new legal grounds on which companies will be allowed to retain and process user data. The BvD is concerned that, as drafted, the new law does not sufficiently protect privacy rights and has called for strict provisions on the principle of purpose limitation.

[BvD article](#) and [new draft law on IT security](#)

## Russia

### Effective Date for Russian Data Storage Law Remains Unchanged

On September 21, 2014, a draft law was submitted to Russian Parliament which proposed changing the effective date of the Data Storage Law from September 1, 2016 to January 1, 2015. The Effective Date Change Bill was passed by the State Duma in two readings; however, based on reports in today's Russian press, the third reading has been postponed indefinitely and the proposed date change is likely to be rejected in full at this stage.

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