

UK

ICO Survey into Use of Medical Devices

The Information Commissioner's Office (ICO) has launched a new survey into the types of medical devices currently being used across the healthcare sector in the UK, including in the NHS. The ICO wants to know how these devices impact on the collection and use of personal data. The results of the survey will be used by the ICO's audit team to determine when to conduct an audit of, or undertake an advisory visit to, a relevant healthcare organisation.

[ICO survey – November 2014](#)

New National Health Data Guardian Appointed

The UK Government has announced the appointment of Dame Fiona Caldicott to the new role of National Data Guardian for health and care. The National Data Guardian will "become the people's champion on the security of medical information" and "oversee the safe use of people's personal health and care information and hold organisations to account if there is any cause for concern, ensuring public confidence". She is empowered to make direct referrals on matters of concern to the ICO and the Care Quality Commission. Organisations which fail to act on her recommendations will face fines and prohibitions on data sharing.

[Government announcement – 13 November](#)

Mental Health Support Charity Suspends Use of Controversial App

It has been reported that mental health support charity, The Samaritans, has suspended the use of its "Radar" app amid widespread concerns about privacy implications. The app, used on Twitter, was intended to detect and inform Twitter users which of the people they followed might be 'feeling low'. After receiving a petition signed by 1,200 people voicing their concerns about possible breaches of the Data Protection Act, the charity confirmed that it would be suspending the app with immediate effect, pending further testing and adaptation.

[Samaritans Radar announcement – November 2014](#)

New Data Protection Guidance for Schools

The Department for Education has published new data protection guidance for schools. The guidance is a reminder to schools about their key data protection obligations. It also highlights the main considerations for schools when moving to use cloud services, including how to assess whether a particular cloud services provider meets the legal requirements of the Data Protection Act.

[Department of Education announcement](#)

Controversial Criminal Justice and Data Protection Regulations Debated

MPs have debated a motion to approve the controversial draft Criminal Justice and Data Protection Regulations. The Regulations provide for UK citizens to face criminal trials in other European countries and makes provision for the introduction of a European Arrest Warrant. The Regulations also contain comprehensive provisions around the exchange and use of personal data between EU authorities for these purposes.

[UK Parliament – 10 November 2014](#)

Supermarket Employee Charged With Alleged Offence Under Data Protection Act

It has been reported that an employee of the supermarket chain, Morrisons, has been charged with fraud and offences under the Data Protection Act and Computer Misuse Act. The charges are said to relate to the alleged theft of payroll data relating to thousands of Morrisons' employees.

[Telegraph report – 11 November 2014](#)

EU

Article 29 Working Party Issues Privacy Policy Guidance to Google

The Article 29 Working Party has issued guidance to Google on how to ensure its privacy policy complies with EU data protection laws. The guidance requires Google to ensure that its privacy policy is immediately visible (without scrolling), accessible (via one click) and applicable to every type of device (whether desktop, mobile or tablet). Google is also required to introduce "dashboards" to enable users to control their personal data between all Google services more easily, and to refine its data retention policies to ensure that the proportionality principle is respected and that specified retention periods can be justified.

[Letter from Article 29 Working Party and Appendix: list of compliance measures](#)

International

Key Players in the Car Industry Sign Up to Privacy Commitments

The Auto-Alliance, a trade association of 12 car and light truck manufacturers, has issued a statement via its President and CEO, confirming the commitment of its members to newly developed Privacy Principles. The Principles provide an approach to customer privacy that members of the Alliance can choose to adopt when offering innovative vehicle technologies and services. The Principles focus on the need for transparency about privacy practices, heightened protection for sensitive data and clear statements about when data may be shared with government authorities.

[Statement from the Auto-Alliance](#)

Guidance for Governments on Privacy Commitments

The Open Rights Group and Privacy International have launched new guidance for governments on steps that they could take around privacy and data protection issues in open government programmes. The "new chapter" contains a list of "illustrative commitments" that governments could sign up to in their next open government programmes, the objective being to ensure that privacy is at the centre of national plans for open government.

[Open Rights Group announcement – 11 November 2014](#)

OAIC Releases Annual Report

The Office of the Australian Information Commissioner (OAIC) has published its annual report for 2013/14. The report highlights that, for the year ending June 2014, the OAIC dealt with a record number of matters, with complaints up by 183% on the previous year. This is likely to be the last OAIC annual report as a Bill currently before Parliament proposes the abolition of the OAIC by 31 December this year.

[OAIC media release](#)

Singapore's PDPC Annual Report

Singapore's Personal Data Protection Commission has published its annual report for 2013/14. The report restates the core objectives of the Personal Data Protection Act 2012 (PDPA) and highlights the activities of the PDPC over the last year to raise awareness and increase understanding of the PDPA amongst the business community.

[PDPC Annual Report](#)

For further information on any of the items in this week's alert, please contact Mark or Annette:

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