



Working Group on the Future of the Conference

Annex D

Creation of an ICDPPC Secure Online Platform

Options and Financial Requirements

In accordance with the mandate given to the Working Group on the Future of the Conference by the *Resolution on a Roadmap on the Future of the International Conference* adopted at the 40th ICDPPC annual meeting, this paper seeks to examine and 'evaluate the possibilities and modalities, including technical and financial requirements, for the creation of an ICDPPC members online platform at the 41st conference in 2019'.

The ICDPPC Secretariat and the Co-Chair of the Working Group on the Future of the Conference wish to acknowledge the help and support received by the ICO's IT Department in the preparation of this document.

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1. Background

During its 2017 annual meeting in Hong Kong, the ICDPPC began a strategic consultation process on its own future. One of the themes that emerged from this consultation exercise was a growing demand from the membership for the Conference to strengthen its role as both a network for practical cooperation on privacy and data protection as well as a forum for the exchange of knowledge among authorities, not only during the annual meeting but also throughout the year, thereby further enhancing the visibility of the Conference as an ongoing forum for privacy developments.¹ In order to achieve these objectives, several members recommended the creation of a secure, password-protected virtual space that would act as a platform for ICDPPC members to share good practice and exchange practical information on cases.

Following up on the outcome of the consultation, at its 40th meeting in 2018, the ICDPPC adopted the Resolution on a Roadmap on the Future of the International Conference which mandates the WG [on the FoC] to study the development of a secured online platform for ICDPPC members only by examining ‘the possibilities and modalities, including technical and financial requirements’ for its creation.²

In line with this mandate, this paper will first outline the three possible options which have been identified, including an overview of the costs associated with each, before setting forth the proposed recommended solution for consideration and discussion at the 41st Annual Meeting in Tirana this year.

¹ *Strategic Consultation on the Future of the Conference – Summary of Inputs from the Internal Consultation*, ICDPPC Secretariat, p. 2.

² https://icdppc.org/wp-content/uploads/2018/10/20180922_ICDPPC-40th_Resolution-on-a-roadmap-on-the-future-of-the-Conference_Adopted.pdf, p. 5.

2. The Purpose of an ICDPPC Secure Online Platform

As explained in the background section, the proposal to create a secure virtual space for the Conference's membership comes in response to several members' request to develop an operational platform for practical cooperation and exchange of knowledge, thereby enhancing the Conference's vision and mission.

On this premise, an ICDPPC Secure Online Platform could serve the following purposes:

- sharing of non-confidential information, e.g. guidance, investigative strategies etc;
- privacy authorities database in wiki-format, including the work contact details such as email and phone number of relevant enforcement contact person within the authority;
- discussion forum;
- sharing of draft resolutions and outcome of consultation on resolutions and declarations;
- WGs' updates;
- 'what's new' and 'Hot Topic' area;
- repository of DP&Privacy national laws and trends in DP case law developments;
- research portal.

After examining several technical options, the Working Group on the Future of the Conference – informed by the technical advice provided by the Digital&IT Services Department of the ICO – has identified three options for delivering the potential requirements mentioned above. These are:

1. Software-based solution (e.g. Office 365);
2. Enhanced existing ICDPPC website;
3. Creation of a new ICDPPC website including a log-in area for Conference's members only.

In the following sections, we are going to examine these options in more detail, including by giving an overview of the projected costs for the implementation of each and options for funding. The Working Group on the Future of the Conference does not offer a conclusion on which of these options would be the most appropriate solution to meet the need for a secure virtual space expressed by a section of the membership during the 2017 strategic consultations. The paper concludes by suggesting to further test members' preferences in relation to the need for the creation of an ICDPPC secure virtual space or for a continuation of the *status quo*, including promoting enforcement cooperation via platforms hosted by

other networks such as the Global Privacy Enforcement Network (GPEN),³ through a survey to be carried out following the 41st Annual Meeting in Tirana.

3. Options for the creation of an ICDPPC Secure Online Platform

3.1 Software-based solution

The first option available to the ICDPPC is the use of a software suite as a collaboration platform. Specifically, Microsoft Office 365 would provide all the functionalities and features to meet the requirements outlined in section 2. These are shown in the table below provided by the Digital&IT Services Department of the ICO:

No.	Requirement	Met by
1.	Discussion Forum	Microsoft Teams is an online collaboration and communication platform with channel based chat / discussion
2.	Working Group updates	Updates can either take the form of a specific 'broadcast' channel for the Working Group or a SharePoint news and announcement page.
3.	'what's new' and 'Hot Topic' area	'what's new' and 'Hot Topic' areas can be supported through blog posts or news articles within SharePoint Online
4.	Repository of DP & Privacy national laws and trends in DP case law developments	Document libraries within SharePoint Online can hold and index this documentation
5.	Research portal	Depending on the specifics, document libraries can act as the repository for research data
6.	Privacy authorities database in wiki-format (NB: this would include contact details such as email and phone number of relevant enforcement contact person within the authority)	Wikis form a core part of Microsoft Teams functionality.
7.	Sharing of non-confidential information, e.g. guidance, investigative strategies etc.	Microsoft SharePoint is certified to hold OFFICIAL-SENSITIVE data.
8.	Sharing of draft resolutions and minutes of ExCo meetings	Document, folder or document library sharing is a core function of Microsoft SharePoint online
9.	Rights based access (i.e. users given different levels of access to different document sets)	SharePoint supports different user or group permissions at multiple levels, including site collection, site, document library or individual document level.

³ <https://www.privacyenforcement.net/>.

10.	Document Version Control (i.e. documents are checked in and checked out to make changes	SharePoint document libraries support check in / check out, version control and document reversion
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The cost of Microsoft Office 365 ranges from £ 6 to £ 30.80 per user per month depending on the additional functionalities of each specific licensing tier. These are illustrated in the table below:

	Office 365 E1	Office 365 E2	Office E5
Cost per user per month	£6	£17.60	£30.80
Microsoft Office Applications Licence & Download	No	Yes	Yes
Microsoft Office Web Applications (more simple functionality)	Yes	Yes	Yes
Microsoft Teams	Yes	Yes	Yes
Microsoft SharePoint	Yes	Yes	Yes
Voice and Video Conferencing	Yes	Yes	Yes
Dial in tele-conferencing	No	No	Yes
eDiscovery (legal search and hold)	No	Yes	Yes
Advanced eDiscovery (advanced legal search and hold)	No	No	Yes
Advanced Security Features	No	No	Yes
Advanced Data Governance Features	No	No	Yes

Microsoft Office 365 has the potential to effectively support the Conference's membership need to have an operational platform for sharing information and practical assistance.

However, the adoption of this solution is constrained **by three fundamental drawbacks**.

The **first** is the **annual costs per user** associated with buying the licenses of Microsoft Office 365. As shown in the table above, even the less expensive solution would entail annual costs ranging between £ 33,000 (roughly € 36,800) and £ 40,000 (roughly € 44,000)⁴ based on

⁴ Exchange rate applied at the time of writing (1 July 2019).

a projected number of 560 users across the whole membership. In addition to this, it is necessary to take into account the annual costs associated with the run of a 24x7 Helpdesk.

The **second**, which is closely linked to the above, is the fact that the software solution is based on a ‘per user’ model which risks leading to an **uneven distribution of licenses** across the membership, depending on the resources available to each individual member authority.

Finally, there is the issue of the ownership of the licence. Given the fact that the ICDPPC is currently no more than a gathering of data protection authorities with no legal personality, there is the question of who would be the central licence holder. .

In light of the shortcomings highlighted above, we believe that this option is not suitable for the ICDPPC. Nonetheless, the members of the Working Group on the Future of the Conference agreed that there may be scope to further explore the availability and scope of use of open source software or institutional collaboration solutions.

3.2 ‘Enhanced’ ICDPPC website

The second option for establishing a collaboration platform for Conference’s members is **enhancing the functionalities of the existing version of the ICDPPC website**⁵ by including features such as a research portal, a repository of data protection and privacy national laws and working groups’ updates in the public facing area of the website **complemented by a collaboration portal solution** for the sharing of practical information, relevant ICDPPC documents and holding relevant work contact details of member authorities.

Such collaboration platform could be a **software based solution such as Confluence**. Compared to Microsoft Office 365, Confluence is a cheaper option with an average cost of **£ 2 per user per month**, adding up to roughly £ 1,100 (roughly equivalent to € 1,200)⁶ on the basis of 550 users.

Whilst a good compromise solution, achieving a balance between meeting the needs of the membership and implementation costs, this options suffers from the same shortcomings as the one outlined in section 3.1, albeit to a lesser extent. Indeed, although

⁵ It must be noted that this, i.e. an ‘enhanced’ version of the ICDPPC website, is currently part of the work plan of the Working Group on International Enforcement Cooperation with a view to be implemented prior to the 41st Annual Meeting in Tirana in October this year.

⁶ Exchange rate applied at the time of writing (1 July 2019).

the annual cost of a software such as Confluence would be more manageable for ICDPPC members when compared to Microsoft Office 365, there would still be the issue of the software's monthly cost coupled with the problem of the ownership of the software licence.

It follows that this solution would also not be ideal for the ICDPPC.

3.3 A Brand New ICDPPC Website

The final solution identified by the Working Group on the Future of the Conference is the **creation of a new bespoke ICDPPC website** comprising of a public interface similar to the one outlined in section 3.2 **coupled with a log-in area** which would give ICDPPC members the possibility to share official information and access to the privacy authorities contact database as well as to discussion forums and draft resolutions and reports.

Based on an estimated web development metric, the **cost** for the creation of a new **bespoke ICDPPC website** would amount to approximately **£ 40,000** (equivalent to roughly **€ 44,900**).⁷ In addition to this one off cost, there would be additional yearly costs associated with the security maintenance of the website which would amount to an annual cost of approximately **£ 5,000** (equivalent to roughly **€ 5,600**).⁸ It is important to stress that this is a **rough estimate** and that a more accurate figure can be given once the membership has agreed on the specific requirements and features to be included in the log-in area and the associated security requirements. In addition to this, members should consider that maintenance and ad hoc additional development costs may increase over time due to the popularity of the site and potential expansion in the pool of users.

The main **advantages** of choosing this option are **threefold**.

First, although the initial cost of developing the website would be quite substantial, **this cost would need to be met only once**. Second, there would be **no limit of account users** to the log-in area of the website, thereby making this option a more 'democratic' solution compared to the use of a software-based cooperation platform. Finally, the development of a brand new ICDPPC website would have the **additional advantage of contributing to strengthen the Conference's identity** from an external communication point of view by linking with the work

⁷ Exchange rate applied at the time of writing (1 July 2019).

⁸ A big portion of this monthly figure comprises the cost for hosting the website, monthly security checks and annual health checks of the site.

stream on the ICDPPC visual identity in line with the proposals which emerged from the strategic consultation with members.

Although advantageous from the viewpoints presented above, **the rebranding of the ICDPPC website** and creation of a secure virtual space on the platform **is not free from drawbacks**. The **first** of these is represented by the not insignificant **burden** that the maintenance of the **security and integrity of the site and log in area** would place on the authority serving as the Conference's Secretariat. **Further** to this, and as outlined above, this option would entail a **substantial upfront cost** which may not be sustainable for the ICDPPC's membership.

In addition to these drawbacks, it needs to be considered that some of the members of the Working Group on the Future of the Conference have expressed doubts about the need for the ICDPPC of a secure virtual space in light of the fact that a collaboration platform, including also a discussion forum and a Privacy Law Library, already exists. This is the Global Privacy Enforcement Network (GPEN)⁹ which aims at fostering, among other things, a discussion of the practical aspects of privacy law enforcement cooperation and the sharing of best practices in addressing cross-border challenges. At the same time, it should be noted that the GPEN site mainly focusses on *enforcement* cooperation whilst the envisaged ICDPPC website would be broader in scope and targeted at supporting the Conference's vision and mission which includes, but is not limited to, enforcement cooperation. Further, whilst it cannot be denied that an overlap exists between the two, the membership – as well as the criteria for membership – between GPEN and the ICDPPC are distinct.

4. Options for Funding

As mentioned in section 3.1 and 3.2, a cost-based software collaboration platform – such as Microsoft Office 365 or Confluence – would not be an appropriate option for the ICDPPC given the high annual costs per user associated with buying the licence. For this reason, an examination of the funding options for this solution has been excluded from this section.

As for the development of a new bespoke ICDPPC website including a log-in area (option 3.3) – were the Conference's membership to show a preference and a willingness to pursue this option – **two options** for funding have been identified which would enable the Conference's

⁹ https://www.privacyenforcement.net/about_the_network#our_mission.

membership to sustain the initial substantial cost for developing the website. These options are presented below.

The **first** would be to apply for funding from organisations such as OECD. Indeed, in view of the fact that the ICDPPC secure virtual space would act as an operational platform enhancing cooperation among data protection and privacy authorities, there would be scope to engage the OECD's Working Party on Information Security and Privacy to request financial support for the development of the ICDPPC secure online platform.

The **second** option would be to spread the cost of the development of the platform across the Conference's membership by requesting members to donate on a voluntary basis an amount of their own choice or via membership's fees.¹⁰

There could also be a third option which would be based on a combination of the two presented above – i.e. external funding complemented by voluntary contributions from the membership base.

However, all options above would have to take into account legal issues regarding the entity receiving the necessary funding.

5. Next Steps

The *Resolution on a Roadmap on the Future of the International Conference* adopted at the 40th ICDPPC Annual Meeting gave mandate to the Working Group on the Future of the Conference to 'evaluate the possibilities and modalities, including technical and financial requirements, for the creation of an ICDPPC members online platform at the 41st Conference in 2019'. In line with this mandate, this paper has sought to present a number of options which would be available to the Conference for the realisation of a secure virtual space to enhance collaboration and exchange of knowledge amongst members. On the basis of the discussion above, the Working Group on the Future of the Conference would like to propose and request a mandate for the following mandate:

¹⁰ On the topic of the membership's fees, please see the separate proposal on the '*Proposed Plans for the Establishment of an ICDPPC Stable Secretariat*'.

- Following the 41st Annual Meeting, liaise with existing and new WGs to identify areas of overlap for the creation of online repositories and tools for cooperation and scope out options for collaboration;
- Launch a short survey amongst the member authorities to test members' preferences on the need for the secure virtual space as well as for further scoping out the requirements and functionalities members would like to see on the platform. The survey would also aim at requesting information from member authorities in relation to funding options and legal obstacles in receiving funding (November – December 2019);
- Further explore the availability and scope of use of open source software or institutional collaboration solutions before taking steps towards the implementation of a website solution;
- On the basis of the results, were the membership show a preference for the implementation of option 3.3 (creation of a new ICDPPC website with a log-in area), engage in a soft market testing to acquire more accurate figures required for the development of the website as well as for carrying out a thorough risk assessment of the proposed approach (January – March 2020). Depending on the outcome, further explore funding options.
- Subject to the above yielding positive results and if the proposed plans are adopted at the 2020 Annual Meeting, start the funding application process with a view to launch the website in conjunction with the closed session of the 2021 Annual Meeting. ¹¹

¹¹ If adopted, this would match the timeline for the establishment of a stable and funded Secretariat. In addition to this, there is also value in considering formalising the new name and logo for the Conference in conjunction with the launch of the Secretariat and new website.