



GPA Global Privacy and Data Protection Awards 2021

Entry Form

To submit an entry to the GPA Global Privacy and Data Protection Awards please complete and email this form to secretariat@globalprivacyassembly.org no later than **14 June 2021**.

Note: GPA member authorities can submit as many entries as they wish, but a separate form should be used for each different entry, submitted by the deadline above.

Languages: The GPA documentation Rule 6.2¹ applies.

1. CONTACT DETAILS FOR THIS ENTRY

Privacy/Data Protection
Authority:

Information Commissioner's Office (ICO), UK

2. ELIGIBILITY

By submitting this entry, I confirm that (*please tick all boxes to confirm*):

- The Authority is a member of the Global Privacy Assembly
- The initiative described in this entry was undertaken since January 2020.
- I am aware that the information in the entry (other than the contact details in 1(a) above) will be publicised by the GPA Secretariat.

3. CATEGORIES

Please indicate which category you wish to enter.

*Please tick **one**; please use a separate form for each category you wish to enter:*

- Education and Public Awareness
- Accountability
- Dispute Resolution and Enforcement
- Innovation
- People's Choice

4. DESCRIPTION OF THE INITIATIVE

a. Please provide a brief summary of the initiative (no more than 75 words)

Operation Tycho commenced due to the potential of direct marketing aimed at exploiting the pandemic of Covid-19 affecting the UK. The ICO witnessed an increase in scams pertaining to various products relating to the pandemic and sought to identify organisations sending direct

¹ [GPA Rules and Procedures](#), Rule 6.2 'Assembly documents':

Without prejudice to section 4.2, Assembly documents, including accreditation and observer applications may be submitted in English or in another language. In the latter case, the documents shall be accompanied by an English version. Members with the ability and the resources to do so are encouraged to translate proposed resolutions and other Assembly documents such as the Assembly Rules and Procedures.

marketing material to advertise their products/services in a bid to exploit the pandemic situation which were not consented to or were in direct contravention of the Privacy and Electronic Communication Regulations (PECR).

b. Please provide a full description of the initiative (no more than 350 words)

Operation Tycho was commenced due to the potential of direct marketing aimed at exploiting the pandemic of Covid-19 affecting the UK (from March 2020 to the end of the second lockdown period). The ICO and other regulatory bodies witnessed an increase in scams pertaining to various products relating to the pandemic such as funeral directors, sales of PPE and HMRC tax rebates.

During this period the UK was on lockdown and individuals were isolated, the effect of this type of direct marketing is likely to concentrate people's fears especially those who may be considered as vulnerable.

The operation was a direct response to investigating those organisations sending unsolicited direct marketing to individuals, Covid-19 related cyber-attacks, and potential unlawful acquisition of personal data.

The operation identified organisations sending direct marketing material to advertise their products and services in a bid to exploit the pandemic situation which were not consented to or were in direct contravention of the Privacy and Electronic Communication Regulations (PECR).

Although the main focus of the operation was to consider potential breaches under PECR, it also took into consideration any complaints which may identify breaches of the DPA 2018 and GDPR.

Work on the Operation carefully scrutinised the level of complaints and witnessed a surge of over 700 complaints in one day during mid-May. The complaints continued to rise by circa 200 per day throughout the course of the operation, until the end of June when complaints levelled off.

The organisational sectors coming to the attention of the ICO demonstrated a wide range and not just in the areas associated with the marketing of pandemic related products.

The organisations that concluded with formal enforcement action were those that acted in the most unscrupulous manner, monopolising on the fears and vulnerabilities of people during the pandemic period.

The operation has sought to use a range of enforcement outcomes when appropriate. This has resulted in:

- 18 compliance meetings
- 16 on a three month monitoring period
- 10 Final Notices issued (for £828,000)
- 4 Enforcement Notices issued
- 1 Notices of Intents issued
- 2 going through the enforcement process

c. Please explain why you think the initiative deserves to be recognised by an award (no more than 200 words)

- The team worked hard to ensure that cases were concluded quickly and a fast turnaround of enforcement action in exceptional circumstances.

- The results of which lead to disruption to those acting in breach of the law and acted as a deterrent for other organisations thinking of adopting similar methods.
- The operation demonstrates an up to date and relevant regulator in tune with the public's concerns.

d. Please include a photograph or image, if you wish (*This will be published with your entry on the GPA website. The image can be pasted into the box below, be sent as an attachment or a link may be provided*)

e. Please provide the most relevant link on the authority's website to the initiative, if applicable (*The website content does not need to be in English*)

f. Please provide any other relevant links that help explain the initiative or its impact or success (*e.g. links to news reports or articles*):