



GPA Global Privacy and Data Protection Awards 2024

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 17 June 2024**.

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:	UK Information Commissioner's Office	
Person completing this form:	Richard	Syers
	<i>First name</i>	<i>Last name</i>
Job title:	Principal Policy Adviser	
Email address:	richard.syers@ico.org.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 2022.
- 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

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.

4. DESCRIPTION OF THE INITIATIVE

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

A joint paper and industry engagement by the UK ICO and UK Competition and Markets Authority (CMA) set out the potential data protection and competition harms from certain types of online choice design practices. The initiative received support across relevant media/stakeholder circles. Follow-on ICO regulatory activity demonstrated an almost 85% success rate in cookie banner compliance of the UK's most visited websites. This ongoing initiative is a successful example of cross-regulatory activity effecting real change, improving individuals' data protection rights.

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

In August 2023, the ICO and CMA jointly published a position paper on harmful design practices in digital markets. The paper sets out the data protection and competition harms that can arise when certain types of practices are used to present information and choices to consumers about the collection and use of their personal information. It gives examples of concerning design practices, and provides a set of expectations that the ICO and CMA share of firms, and UX and product designers, that will support good practice.

In November 2023, the ICO wrote to 53 of the UK's top 100 websites, warning that they faced enforcement action if they did not make changes to their cookie banners to remove practices highlighted as being harmful in the position paper. The response to this call to action was overwhelmingly positive, resulting in 45 websites changing their cookie banners to be compliant, an almost 85% success rate in effecting change. Several others also started working on solutions, including contextual advertising and subscription models.

We continue to identify websites that are using non-compliant practices, and are developing digital tools to evaluate website cookie compliance at scale.

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

This overall initiative to improve design practices is novel in that it is a joint initiative between the ICO and CMA to tackle practices that are harmful to both data protection and competition. It is an example of the magnified impact that data protection and competition authorities can have by working together, as set out in the [2021 ICO-CMA joint statement on data protection and competition law](#)

The related regulatory activity to improve cookie banner design practices used this position paper to effect positive changes to the cookie banner design practices of many of the UK's top websites, therefore providing tangible benefits to thousands of citizens with

regards to their data protection rights and their ability to freely choose how their personal data is collected and used.

This also embodies regulatory progress supported globally by the GPA and its Digital Citizen and Consumer Working Group regarding deeper collaboration between data protection and competition authorities for better regulatory outcomes set out in the [GPA 2019 resolution](#) in view of the growing intersection of privacy, consumer protection, and competition issues.

- 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*)

- [ICO-CMA joint paper on Harmful Design in Digital Markets | DRCF](#)
- [Commissioner warns UK's top websites to make cookie changes | ICO](#)
- [ICO warns organisations to proactively make advertising cookies compliant after positive response to November call to action | ICO](#)
- [ICO launches "consent or pay" call for views and updates on cookie compliance work | ICO](#)

- 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*):

[Crunch time for cookie use, watchdog warns - BBC News](#)

[ICO and CMA clamp down on dark patterns in the UK - Osborne Clarke | Osborne Clarke](#)

[UK: The ICO and CMA's joint paper on harmful design in digital markets | Insights | DataGuidance](#)

[Don't be the architect of your own demise: UK's ICO and CMA fire warning shot on "harmful online design", Verity Egerton-Doyle, Patrick O'Connell, James Hunter, Megan Lim \(linklaters.com\)](#)

[ICO's call to action for UK website cookie banners - Hogan Lovells Engage](#)

[UK watchdog threatens enforcement action over ad cookies • The Register](#)

[ICO threatens enforcement action against websites with 'harmful' cookie banners | ITPro](#)

