

John Edwards first 100 days: Draft External Communications Proposal

Background

The ICO comms team supports the ICO's objectives by working to the following objectives:

- Support the office's work in explaining the law and influencing the behaviour of organisations
- Help people to understand their information rights, and support public trust and confidence in the responsible use of data
- Increase public and stakeholder awareness of the benefits of what we do, protecting and enhancing our reputation

We meet these objectives through our day to day work, but we also want to have a campaign based approach. This means we can plan strategically, bringing different stories, announcements and other activity together to promote the same messages. By doing this, we can have a greater impact with our messages: a regular drumbeat, rather than saying messages only once.

We are looking forward to shaping our campaign approach in 2022 with you.

Currently, our communications campaigns are brought together under four themes:

- Protecting the public
- Enabling innovation and economic growth
- Supporting the public sector to transform services
- Promoting transparency and accountability

These themes, which can be further tailored to support your priorities and vision, help us to prioritise our work, by setting out what we want to focus on: these provide some focus areas from where we judge our success.

We publish strategic campaign snapshots that set out the work we have planned in the coming months to support each for the four priority themes on a rolling quarterly basis. [LINK OR APPENDIX].

Note: this document focuses on the positive opportunities across your first 100 days. There are also risks, of course, and these will be covered in a separate document.

First day

Communications objectives: Mark your first day in the post and set out your priorities, both externally – to the media, the general public and to key partners – and internally, to ICO.

Our communications on 4 January will be primarily factual, with the opportunity for you to set out your high-level thoughts and priorities for the role.

Media

Official Sensitive

- Day one press release announcing your arrival, to include:
 - quote from you welcoming the opportunity to have a positive impact for people and orgs,
 - a brief overview of upcoming work/year ahead, and
 - a bio based on your CV.
- We would recommend declining any immediate media interview requests, though we would keep a record of all requests, and look to see where they might fit in with our broader media strategy, based on the campaign approach below. We are working on a media engagement plan to help you build relationships with key journalists and outlets.

Social media and website

- Based around the quote from the press release
- Announcements of your arrival to feature across our channels (Twitter, LinkedIn, FB), including quote from press release
- Press release to feature on website homepage
- Your Twitter account

During the first week we will also arrange for any references on the website to be updated, including your corporate images, adding a bio to the website etc.

First month

The January edition of our digital ICO newsletter will go out on Thu 13 Jan. This goes out to more than 200,000 people, mainly in the data protection community (DPOs, practitioners, law firms, civil society etc). It historically has a Commissioner foreword, and we'd propose similar in Jan, based on the comment in your day one press release.

We have lined up our campaign approach to primarily begin in February, to give you time to familiarise yourself with the ICO's work before talking about it more publicly. There are advantages to us getting your voice out sooner, primarily that it allows you to begin to shape the perception of your approach as Commissioner at an earlier stage.

We would suggest three potential approaches, if you wanted to push for coverage in January:

1. Announcing a Business Summit – if you would like to move ahead with a business focused engagement event in February (See accompanying paper), then we can announce that you are doing this, briefing some of our media targets at national (e.g. Financial Times) and trade press.
2. Move the campaign on improving businesses' cyber security forward to January. We have stats to publish in this area in Jan, which could provide a news hook, and there is also the potential for high profile breaches which we could respond to.
3. Shift our focus on DP Day (28 Jan) to something more headline grabbing. For instance, the 'making privacy easy: modern DP regulation' campaign could work for DP day, with a media interview.

Official Sensitive

4. Add your name to a press release of a story we are already planning to promote in January. Examples could include potential enforcement action against the Ministry of Justice for poor Subject Access Request performance, or an expected fine for nuisance calls.

First 100 Days

Communications objectives: Establish your agenda with external and internal audiences through a policy announcement, keynote speech/visit and media interview, demonstrate leadership to key stakeholders by steering through main ICO business. Handle risks – we will submit a separate paper outlining some of the external comms challenges during your first 100 days and our recommended mitigations.

We would like to work with you on establishing your series of 'firsts' – first announcement/story, first media interview (print and broadcast – selecting which outlet you do will greatly signal your future direction as Commissioner), first event and first speech.

Based on our campaign themes, and the work planned for Jan – Apr 2021, we have brought together a series of ideas. These include campaigns which will benefit from the greater reach and interest typically generated by the Commissioner's voice, and campaigns that give you space to introduce himself and share your thoughts and priorities.

During this time we also recommend a series of coffees/background chats with key journalists and media outlets. We'll separately submit a proposal and work with your office on your diary availability and necessary briefing.

1. Enabling innovation and economic growth

1.1. Listening to business: "Business Summit"

- 'As a new Commissioner, I want to hear how the laws I regulate impact you.'
- Primarily a stakeholder engagement piece, but with communications to demonstrate you're open to new ideas, and to have your priorities shaped
- This is covered in more detail in a separate paper.

Opportunities: Room to use comms to increase the feedback you hear, whether through increased interest / attendance at events, or via an online survey

Risks: Who you listen to (and who you don't) will be closely scrutinised

Audiences: Initial focus is for a business audience, but there is an opportunity here to broaden this to groups including civil society and public sector.

Timing: Could be underway in February

Official Sensitive

Resource impact for you: Above the preparation and attendance at events, we could look at a webinar or newsletter message to give context to why you're in listening mode

Looking ahead: option to link in with DPPC, which can be held in April, or pushed back to early summer

1.2. Improving businesses' cyber security

'A lack of care and attention around cyber sec risks holding UK businesses back'

- 'Our analysis shows that many cyber attacks are made possible by simple mistakes. Do you know what data you are protecting? Have you kept software up to date?'
- Supported by our data security incident trends (scheduled for Jan, but flexible)
- Potential for 'xx people were affected by cyber breaches in past year' stat. Also potential to respond to breaking news around a cyber breach.
- Links with suggestion that DP needs attention at c-suite level, to be baked in the value set of an organisation.

Opportunities: This is an aspect that affects all businesses and orgs, but where the ICO has not always had a strong voice. Opportunity for practical advice to orgs (vs more abstract 'trust matters' topics). Could work well with a Sunday paper interview, followed by Monday morning press release.

Opportunity to link this to protecting people, by highlighting in mainstream media how this call for better cyber sec will protect individuals ('big data is made of little data - the real victims here are the people who see their data accessed by unseen crooks, who in some cases see their bank balances then accessed by crooks').

Risks: Quite a narrow part of the ICO's work / advice. Overlaps the work of NCSC. Limited consumer advice opportunities.

Audiences: Broad business audience.

Timing: flexible, though this could fit well alongside any business summit / meetings in February.

Resource impact for you: Quoted in press release or blog, and media interviews with 1-2 business focused media, eg Madhu Murgia, FT; Tom Knowles, Times or Alexander Martin at Sky News.

Looking ahead: option to add a public angle around National Password Day (May 6). Could link with planned Data Essentials work in March. Option to line you up as a speaker at Cyber UK (the National Cyber Security Centre's annual conference) on 10-11 May.

1.3. Making privacy easy: modern DP regulation

Official Sensitive

'Privacy is too often framed as a series of abstract choices: commercial success vs consumer rights, efficient government vs data protection, security vs privacy or free speech vs online harms.

The reality is that data protection is far simpler: explaining to people what is happening to their data, and giving them privacy-friendly choices.'

- Theme for your first speech, and a chance for you to set out who you are as a regulator, built on a theme you that is familiar to you (as indicated in interview with The Spinoff)
- Could be delivered before Oxford Internet Institute (respected, open to all, free to attend digitally), with speech published on ICO website.
- Accompanying broad interviews with media
- Room to include specific updates, including grants programme and Google privacy sandbox.

Opportunities: Chance for you to talk philosophically about who you are as a regulator, in front of a (likely digital) room of people who will be very interested. Reaches a specifically digital / innovator audience, but one which is likely to be have less of a combined agenda than, say, a big tech event. Anyone can typically sign up to these events, and so it can also reach a broad audience, without the limitations that a membership or delegate fee event would bring.

There is the opportunity for a parallel set of messages for consumers ('I want to make privacy easy for you'), which we can present via the media alongside this speech.

Considering an early speaking engagement has benefits. It ensures there isn't a vacuum where commentary forms about your vision and priorities that isn't proactively informed by us. It can still be quite high level and shows early engagement on topical issues. This still leaves room for a more developed vision speech down the line.

Risks: Possibility for a broad range of questions, both in media and in Q&A at the end of the event (though there is mitigation by having this early enough in your term that you can still claim to be getting up to speed on specifics). We may be able to control how the Q&A session is set up.

Audiences: DP community, academia and tech sector DPOs.

Timing: Dependent on OII to an extent. Liz delivered their Bellwether lecture on 3 March (we'd need to move quick to secure a similar spot).

Resource impact for you: Delivering speech and Q&A, plus accompanying press release and media interviews eg Dan Milmo, Guardian; Amol Rajan, BBC or Vincent Manincourt, Politico.

Looking ahead: This is a theme you could build on in the DPPC or any similar DPO-focused events, and would form a solid starting point should you be invited to an early appearance before the DCMS SC. A view on not choosing between privacy and innovation could fit well with the PET project planned to complete in March.

1.4. Other potential campaign areas:

- DRCF work: statement on the future regulation of end-to-end encryption and DRCF report on tackling algorithmic harms both due in February.
- Direct Marketing Code: possibility to look to present this as a pro-biz story, especially if it can be presented in an engaging way to SMEs.

2. Protecting the public

2.1. Protecting vulnerable people

'Data protection is about protecting people. An important part of data protection is protecting vulnerable parts of our society.'

- Looks to fit with your broader views, e.g. "what I really want to do is to make privacy easy" at DCMS SC.
- Historic examples to illustrate ICO's value.
- [REDACTED]

Opportunities: Consumer focused, in an area where we have a track record of making an impact, and will continue to have opportunities to have an impact. Option to talk about the impact of our nuisance calls which chimes with the proposals for DP reform. Could work with broad range of media, inc tabloid and broadcast.

Risks: Limited consumer advice opportunities on dp side, though much more on nuisance calls. Potentially too neutral / straightforward. Need to avoid too great a focus on penalties vs our broader work to improve compliance.

Audiences: Broad consumer audience. Nuisance calls angle would reach an older audience.

Timing: [REDACTED]

[REDACTED] If the timing of the action doesn't work, there could be room for a media interview with you within a week or two of the story itself.

Resource impact for you: Quoted in press release, and media interviews with 2-3 consumer focused media eg Mike Wright, Telegraph; Alex Hern, Guardian or Jane Wakefield, BBC.

Looking ahead: [REDACTED]

2.2. Building a safer internet for young people

Official Sensitive

'An important part of data protection is protecting vulnerable parts of our society. The ICO continues to work to protect young people online'

- [REDACTED]
- Our children's code has already had an impact, protecting young people online
- What is the advice / action point here? Report concerns to the ICO?

Opportunities: Opportunity to use enforcement as a hook to talk about a success story: [REDACTED]

1

Risks: Limited consumer advice opportunities. Timing of potential enforcement action difficult to plan for. Reputational risk of being closely linked to a penalty that may not be paid.

Audiences: Broad consumer audience, with focus on younger people

Timing: Likely Feb.

Resource impact for you: Quoted in press release, and media interviews with 2-3 consumer focused media, eg Jamie Harris, The Sun; Channel 4; Jim Norton, Mail or Matt Burgess, Wired.

Looking ahead: Safer Internet Day is 8 Feb. There is a lot of interest, domestically and internationally in AADC, which opens up a range of speaking opportunities. [REDACTED]

2.3. Other potential campaign areas:

- Online Safety Bill – ET considering a paper on our planned stakeholder engagement response. Once this is confirmed, we'll consider the appropriate supportive comms approach, including where your voice best adds value.
- Consultation on changes to data protection law. We're expecting the government to publish their response in March. We should see it in January, which will give us time to consider our comms response.
- We have announced a Notice of Intent to issue Clearview with a fine, in work that aims to protect the public. Any subsequent penalty would be communicated with that in mind.
- We can also explore how our work impacts big tech. We know this is an area people are increasingly engaged with, and is likely to be a focus for journalists in any media interviews. We would need to manage the risks around this.

3. Supporting the public sector to transform services

3.1. Data sharing campaign

'The public sector is at the centre of delivering data-driven innovation. Understanding sensible data sharing is central to unlocking that opportunity.'

- 'We so often think of digital innovation as exclusive to the private sector, but the opportunities in the public sector are even greater.'
- 'Sensible data sharing enables that. Data protection is a 'how to', not a 'don't do' it is a manual for information sharing.'
- Pandemic examples
- Point to the ICO's suite of guidance and support

Opportunities: Strong pro-public sector focus that will be well received, and fits with broader government push. The opportunities in the public sector is a new line for the ICO, but with link to our established data sharing messages. Opportunity for practical advice to orgs (vs more abstract 'trust matters' topics). Could be a recorded message for our website, to fit with DP day, with associated work on Facebook, to show the public how we're encouraging innovation that benefits them.

Risks: Critics could point to opportunities for innovation where data protection is considered to have stood in the way.

Audiences: DPOs in public authorities, government

Timing: Opportunity to build this around Data Protection Day (28 January). This gives us access to a House of Commons event, and other potential speaking opportunities.

Resource impact for you: Recorded message for ICO website. Poss attendance at event.

Looking ahead: This fits in with a longer term focus on supporting public sector data sharing.

3.2. Establishing your voice with the public sector community

Our 'supporting the public sector to transform services' snapshot has less high profile milestones:

- Algorithmic auditing report with DRCF, Feb
- Anonymisation guidance to consultation, Mar
- AI and fairness guidance, Apr

These could lend themselves to trade press op eds, blogs on our website, etc in your name.

Opportunities: Reaching out to an important audience, flagging our good advice and guidance.

Audiences: DPOs in public authorities, government

Risks: Less likely to attract media interest

Official Sensitive

Timing: Series of pieces across the first 100 days

Resource impact for you: Opinion pieces and blogs bylined to you. Poss interviews with Municipal Journal, Local Gov Chron, Health Service Journal.

Looking ahead: Option to use these as a hook for a public sector event, in the same manner as the business summit (eg 'we've launched these to help you, what would you like to see next?')

4. Promoting transparency and accountability

4.1. FOI and the modern digital age

- Opportunity for you to set out your views on FOI, but with a focus on reaching practitioners, campaign groups and potentially legislators
- Highlight link between transparency and public trust, esp during pandemic
- A draft paper was produced in 2021, but not published, discussing changes to the law. This can form an initial basis for our thinking.
- Also opportunity to revisit the listening message of campaign 1.1 above.
- Also links with how FOI has informed recent debates on topics including COVID-19 and climate change (see below).

Opportunities: Prompt for you to show an emphasis on FOI, and to speak about its continued value. Potential to set out a medium to long term focus on setting out the key challenges FOI faces and the changes that we'd like to see to ensure FOIA remains fit for purpose (eg around future funding).

Audiences: FOI practitioners at public authorities, legal advisors, government, FOI campaign groups. We should also consider how the messages can be adapted to explain how any changes to the law would benefit UK society.

Risks: Poss criticism around a significant casework backlog. Many of the changes we discuss in the unpublished draft paper rely on additional grant in aid – during a challenging time for the public finances. May open you up to questions about charging for FOI requests – as mentioned at your appointment committee but can use this opportunity to set record straight and keep civil society stakeholders at bay for a while.

Timing: The draft paper gives you background, which gives an option to run this early, but there may be a preference for you to initially focus on listening to the community rather than drawing conclusions.

Resource impact for you: Direct communication with practitioners and wider FOI community, perhaps via ICO webinar or speech? Could be supported with specialist press work.

Looking ahead: This work would be complemented by the more public facing campaign below. Also an opportunity to discuss this work with the

public sector, as part of a 'public sector summit' ahead of DPPC. [REDACTED]

4.2. Public campaign on value of FOI

'The right to know remains as important today as ever'

- Highlight how FOI has informed public debate around key issues over the past year
- Remind people how to make FOI requests

Opportunities: Consumer campaign to support an area of law that hasn't had the same profile as DP. Possibility to target minority audiences or parts of society less familiar with how to make requests

Audiences: Broad public campaign, or could be targeted at specific groups

Risks: Seen as campaigning. A campaign would potentially increase the number of requests, putting increased pressure on public authorities, and ultimately the ICO.

Timing: Very flexible – this is intended to be a long running campaign, and gives you a platform to add your voice on the value of FOI wherever and however you see fit.

Resource impact for you: You could play whatever role you wish, as the campaign does not rely on your voice.

Looking ahead:

Upcoming work that would be launched without a specific link to you:

- AI toolkit for the public sector
- IDTA
- Police forces audit
- Advanced Research Bill
- Direct marketing code (timing tbc)

Appendix: 'At a glance' schedule:

First press release/statement from you: Day one, 4 Jan, broad message

First blog / website message: Data protection day, 28 Jan, Data sharing

First media work (consumer): Protecting vulnerable people, Feb

First media work (business): Improving cyber sec, Feb

-for the three above, we could move forward the cyber sec or making privacy easy campaigns, or add you to our planned comms for an existing story, to give you greater prominence in January

First speaking opportunity: Making privacy easy, Mar

Official Sensitive

First profile media profile interview (timing tbc) - based on the above, we would like to discuss with you when we do this and crucially, who with.