



**Information Commissioner's Office**  
Promoting public access to official information  
and protecting your personal information

## **Press Release**

**Strictly embargoed until 00.01 on 12 February 2008**

### **ICO cracks down on misleading small print**

The Information Commissioner's Office (ICO) is calling for an overhaul of privacy and marketing small print as research<sup>1</sup> reveals that half of consumers don't understand what they're signing up to when they fill in online and paper forms.

The survey uncovers widespread cynicism amongst consumers, with almost half of those questioned believing small print to be purposely designed to be as woolly as possible (47%) and 42 per cent seeing it simply as a vehicle for companies to make money by selling on customers' details.

The ICO is concerned that too many companies baffle customers with lengthy and unnecessary legalese and wants organisations to make their privacy notices much clearer. The ICO has launched a national consultation on a new Code of Practice designed to help organisations provide more user-friendly privacy notices.

The ICO asked consumers what would make small print easier to digest; two thirds wanted to see a clearer way of opting out of receiving marketing, 63 per cent wanted less jargon, 62 per cent wanted a clearer explanation of how their personal information would be used – and half suggested that small print should literally become 'big print' by using larger text.

Almost three quarters of the UK population admitted to not properly reading or understanding the small print (71%). The ICO is urging people to take the time to read and understand marketing and privacy notices to prevent their information being used in ways they do not expect and avoid being bombarded by marketing they've not knowingly requested.

Information Commissioner, Richard Thomas, said: “Too many privacy notices involve too much small print and too much confusing gobbledegook. Privacy notices are an important way to inform individuals and ensure that organisations are open about how they use personal information. But no-one should need a magnifying glass or a lawyer to find out what will happen to their information, what their choices are and what their rights are. Too many privacy notices are written to protect organisations, rather than to inform consumers. What chance do people have if privacy notices are written in complex legalese? How can you make an informed decision without understanding what you are signing up to? Organisations should only collect the minimum of personal information and they must explain what they will do with it in clear, plain language”.

As well as demanding that companies get their house in order, the ICO’s ‘small print BIG PRINT’ campaign aims to encourage individuals to empower themselves by ensuring they understand exactly what they’re agreeing to when filling in online or paper forms.

Supporting the campaign, broadcaster and consumer champion Nick Ross, said: “At last someone's doing something about this. A lot of companies hide shoddy privacy and marketing practices behind legal jargon or deep in a website. Even reputable firms list reams of conditions almost no one in their right minds would ever read. This stuff should be crystal clear and anything unusual should have a neon flashing warning. Decent companies should lead the way: either make small print clear to customers, or scrap it and face the legal penalties; but don't go through the motions.”

The ICO offers lots of practical help to consumers looking to protect their personal information. Visit [www.ico.gov.uk](http://www.ico.gov.uk) for the Personal Information Toolkit or take the ICO’s Personal Information Healthcheck for tailored advice on managing your personal information.

***Some quotes from individuals presented with a privacy policy for a credit facility in the street...<sup>2</sup>***

*“It’s boring stuff that I don’t need to read but I know I probably should” (James, 23, London)*

*"I try to [read the small print before signing up to a service] but it's hard to, mainly because it is quite small...I've been guilty of not and it does get you in a bit of bother sometimes.*

*"I'm quite blasé towards [small print] really, I over look it, it becomes one of the those things that blurs into the page and I don't really look at it that much...[Companies] could make it bigger and maybe put it at the top instead of at the bottom.*

*"It's down to the company to make the most important bits stand out...more pages would be nice. I'd rather have a bigger document which is easier to read than a small one which isn't." (Rick, 23, London)*

*"I don't really bother reading [the small print] because I know I'm not really going to understand why they're asking me to read." (Female, London)*

*"It's so tiny with sentences and sentences of all your terms and conditions that you just don't bother reading [the small print] half of the time...they could simplify things...put it in clearer English a lot of the time, that would be easier." (Matt, 38, London)*

*"I think about whether it's something that I should read because they might catch me out, especially using your details for marketing which really annoys me...If I'm signing something I probably [would read the small print] but maybe not all the time. It depends on how much I trust the origin of that document and whether it involves money or not!" (Mrs Curtis, London)*

## **ENDS**

If you need more information, or would like to see clear examples of good and bad privacy notices, please contact the ICO press office on 020 7025 7580 or visit the website at: [www.ico.gov.uk](http://www.ico.gov.uk)

## **Notes to Editors**

1. The survey was undertaken by YouGov between 20<sup>th</sup> - 22<sup>nd</sup> January 2009. Total sample size of 2141 adults. The survey was carried out online. The figures have been weighted and are representative of all UK adults (aged 18+).
2. A copy of terms & conditions for a credit facility was presented to members of the public in the streets of London on 6<sup>th</sup> February 2009
3. For details of the consultation on privacy notices, please go to [http://www.ico.gov.uk/about\\_us/consultations/our\\_consultations.aspx](http://www.ico.gov.uk/about_us/consultations/our_consultations.aspx)
4. The Information Commissioner's Office promotes public access to official information and protects personal information. The ICO is an independent body with specific responsibilities

set out in the Data Protection Act 1998, the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Privacy and Electronic Communications Regulations 2003.

5. For more information about the Information Commissioner's Office subscribe to our e-newsletter at [www.ico.gov.uk](http://www.ico.gov.uk)
6. Anyone who processes personal information must comply with eight principles, which make sure that personal information is:
  - Fairly and lawfully processed
  - Processed for limited purposes
  - Adequate, relevant and not excessive
  - Accurate and up to date
  - Not kept for longer than is necessary
  - Processed in line with your rights
  - Secure
  - Not transferred to other countries without adequate protection