

## **Press Release**

### **For immediate release**

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### **Information Commissioner urges political parties and candidates to stick to privacy rules**

Political parties and candidates need to understand important privacy rules when promoting themselves to voters – and keep to them, Christopher Graham, the Information Commissioner, will say in a speech today.

Previous election campaigns have been marred by some parties flouting the rules, resulting in hundreds of thousands of people being targeted unlawfully. The Information Commissioner's Office (ICO) is issuing [updated guidance](#) for political parties and candidates covering a range of communication techniques including direct mail, emails, text messages, phone calling and automated phone calls. The guidance applies to direct market campaigning, such as encouraging individuals to vote for a particular party or candidate, appeals for funds and support for a campaign.

Speaking today at the DMA Data Protection Compliance Conference in London, Christopher Graham will say: "For good reason, there are strict rules concerning the way in which political parties and candidates can contact unsuspecting members of the public with campaign and promotional materials. They are the same rules that apply to anyone else marketing a product. This guidance will help political parties respect people's privacy rights. I strongly urge the parties to adhere to the ICO guidance especially as their collective track record to date has been disappointing. We have taken enforcement action to uphold the law in the

past and, with stronger powers available to me in just a matter of weeks, I intend to make sure that everybody stays in line.”

The ICO has previously taken regulatory action against the Conservatives, Labour, the Liberal Democrats and SNP for invading people’s privacy. The relevant legislation is the Privacy and Electronic Communications Regulations (PECR) 2003 and the Data Protection Act 1998.

A full copy of the guidance can be downloaded at [http://www.ico.gov.uk/upload/documents/library/data\\_protection/practical\\_application/promotion\\_of\\_a\\_political\\_party.pdf](http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/promotion_of_a_political_party.pdf)

**ENDS**

If you need more information, 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. Box out – the rules

Communication method	In summary you may use this method to promote a party or candidate...
Post addressed to particular individuals	...unless the individual has asked you not to write to them or not to send them marketing material by post. In addition, s91 of the Representation of the People Act 1983 gives a candidate at a parliamentary election the right to send an election address by post. This specific right applies even if the individual has asked you not to contact them.
Email/text and other messages to mobile phones/voicemail	...where the individual has consented to contact of that sort from you for those purposes.
Fax	...where the individual has consented to contact of that sort from you for those purposes.
Phone calls	...unless you have grounds for believing the individual would not want you to contact them such as Telephone Preference Service (TPS) registration.
Automated phone calls	...where the individual has consented to contact of that sort from you for those purposes.
<b>AND</b> in every case	...you must normally identify yourself in the communication and provide contact details to allow individuals to contact you and easily opt out of unwanted direct marketing. The Representation of the People Act 1983 also requires specific details to appear on election publications.

2. The Information Commissioner's Office has previously taken regulatory action against the Conservatives, Labour, Liberal Democrats and SNP for flouting people's privacy. The ICO recently served an enforcement notice on the Labour Party after it breached the Privacy and Electronic Communications Regulations (PECR). The enforcement action followed an investigation which revealed that the party had made unsolicited automated marketing calls without consent to almost half a million individuals. In 2005 the ICO served enforcement notices against the Conservative Party and the Scottish National Party, and in 2008 the ICO served an enforcement notice

against the Liberal Democrats. The SNP appealed, but the Information Tribunal upheld the ICO's ruling.

3. The Information Commissioner's Office upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals.
4. The ICO has 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. Organisations can now sign the Personal Information Promise to demonstrate their commitment to protecting people's personal information by visiting the website at [www.ico.gov.uk](http://www.ico.gov.uk)
6. For more information about the Information Commissioner's Office subscribe to our e-newsletter at [www.ico.gov.uk](http://www.ico.gov.uk). Alternatively, you can find us on Twitter at [www.twitter.com/ICOnews](http://www.twitter.com/ICOnews)
7. 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