

Press Release

5 August 2010

ICO launches campaign to ensure private investigators notify

The Information Commissioner's Office (ICO) is concerned that some private investigators are failing to notify the privacy watchdog that they are handling people's personal information. Many private investigators routinely process personal data such as information about people's private lives, financial data and images.

It is a legal requirement under the Data Protection Act (DPA) for all organisations handling personal information to notify the ICO. Currently only 1,626 private investigators appear on the public register, which the ICO considers to be a relatively small part of the industry. The ICO has written to the Association of British Investigators, World Association of Professional Investigators and the Institute of Professional Investigators urging the industry to take note of their legal responsibilities when handling personal information.

David Smith, Deputy Commissioner at the ICO, said: "We want to work with the industry to ensure all private investigators meet the legal requirement to notify us that they are processing personal information. A targeted approach working with stakeholders and membership bodies has proved highly successful in other sectors. We will be writing to organisations providing them with advice and encouragement to notify. However, if that encouragement is ignored, we will take action against those who flout the law. The message is very clear – notify with the ICO or face regulatory action."

In 2009/10 there was a 15% increase in notifications. The ICO saw a surge in notifications among private doctors and solicitors following targeted campaigns. In the same period the ICO successfully prosecuted seven organisations and individuals for failing to notify. The fee for the majority of organisations remains £35.

Advice and guidance on how organisations can register with the ICO can be found here:

http://www.ico.gov.uk/what_we_cover/data_protection/notification.aspx

The public register of data controllers can be accessed here:

http://www.ico.gov.uk/tools_and_resources/register_of_datacontrollers.aspx

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If you need more information, please contact the ICO press office on 020 7025 7580 or visit the website at: www.ico.gov.uk

Notes to Editors

1. The Information Commissioner's Office upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals.
2. 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
3. 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
4. For more information about the Information Commissioner's Office subscribe to our e-newsletter at www.ico.gov.uk. Alternatively, you can find us on Twitter at www.twitter.com/ICOnews
5. 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