

Because legal matters

Data Protection & Cyber Security Newsletter: Winter 2024

Welcome to our latest Newsletter where we share some recent developments in data protection and cyber security. In this edition, we take a look at recent enforcement action taken by the Information Commissioner's Office, including a ruling on the use of facial recognition technology, a reprimand for Sky Betting and Gaming in relation to their use of cookies and the ICO's first fine against a data processor. We also consider draft guidance on the use of "legitimate interests" as a lawful basis for processing, tips for handling subject access requests, guidance on the use of AI tools in recruitment and measures adopted by social media companies to ensure the safety of children online.

Should you have any queries regarding any of the below articles or think we can help with your own data protection or cyber security needs, please do not hesitate to get in touch.

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The EDPB's draft guidelines on the "legitimate interest" lawful basis under the GDPR

New draft guidelines from the EDPB aim to clarify the use of "legitimate interest" as a legal basis, addressing common misconceptions and setting out practical steps for organisations in navigating this intricate area of data protection law. This article identifies the driving force behind the guidelines and addresses how this information can be used by your organisation to ensure compliance.

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Exercise care when adopting facial recognition technology

Organisations should take note of recent enforcement action brought by the Information Commissioner's Office (ICO) against a Chelmer Valley High School in Essex for its inappropriate use of facial recognition technology (FRT).

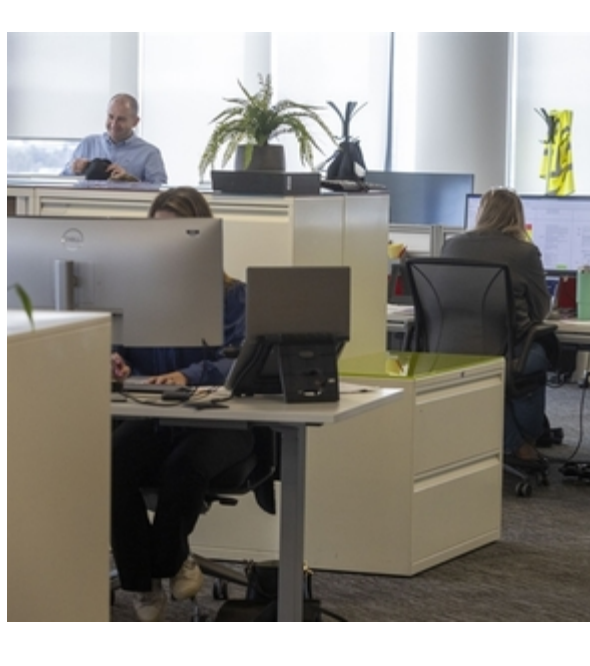
David Gourlay discusses the case and gives helpful recommendations for businesses in deploying processing technology.

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A first for the ICO - an uncomfortable spotlight on data processors

A fine issued by the Information Commissioner's Office (ICO) to Advanced Computer Software Group Ltd serves as a reminder—that the ICO will hold data processors—not just data controllers—accountable for inadequate security measures.

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Getting subject access requests right: lessons to be learned from the Labour Party's reprimand

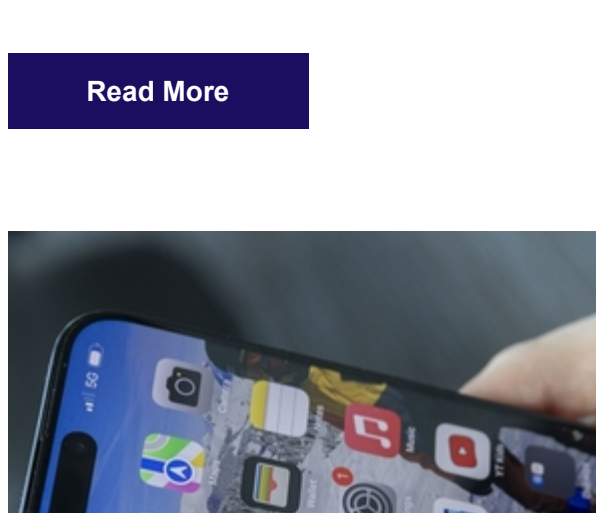
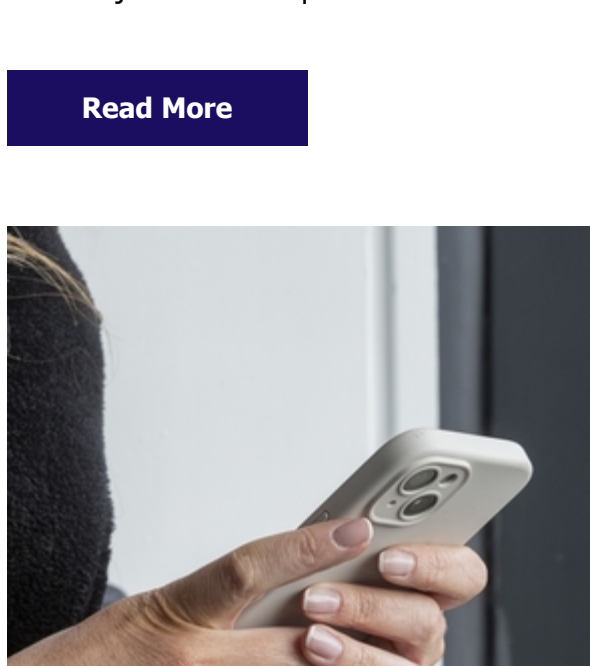
David Gourlay discusses the recent "slap across the wrist" issued by the Information Commissioner's Office (ICO) to the Labour Party for its failure to handle subject access requests in a timely manner and some tips which make for good practice when dealing with subject access requests.

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How do you serve up your cookies?

The Information Commissioner's Office (ICO) reprimand of Sky Betting and Gaming for their cookie practices should be an important wake-up call for other organisations to ensure their cookie practices are compliant with UK data protection law.

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Protecting Children online: Are social media companies doing enough

Euan Duncan, Partner, and Josh Chambers, Trainee Solicitor, discuss the importance of keeping children safe online, looking at some of the social media giants and the measures they use to protect children.

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Things to think about when using AI tools in recruitment: the data protection perspective

The Information Commissioner's Office (ICO) notes that AI use for recruitment can lead to risks for individuals regarding their privacy and information rights. Solicitor, Arina Yazdi outlines the ICO's guidance and key considerations needed for employers looking to use AI tools for recruitment purposes.

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