UK AOP – Mitigating Options: Proposals/Actions/Reponses/Status

# Introduction / Objective

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|  |  | **Detail / Propose Actions** | **Status** | **Deadline** | **Notes** |
| 1. **Special Category Data : Restricting the disclosure of data types into ecosystem** | | | | |  |
|  | * + Limit  special category data from being provided except for Contextual targeting.   + Reduce granularity of data point provided e.g. Location data except for Location targeting not based upon Personal data | Reduce risk of data leakage - Rule that not included if "Personal Data" e.g. cookies included. DOOR LOCK - Protects against bad actors retaining data beyond deletion period. | Generally Agreed | In progress | Publishers wiling to reduce this information but need mechanism to ensure downstream actors don’t use URL’s etc to self-categorise! |
|  | * + Limit processors from establishing own categories based upon data points provided e.g. URL. | Reduce risk of data leakage - URL cannot be used to derive further data - Purpose of URL is only to provide info for bidding purposes. | Discussed with ICO & IAB |  | Relies on Governance outside of Publishers control |
| 1. **TCF Framework Enhancements – Covering Technical and Operational Measures** | | | | | |
|  | * + Confirm TCF Framework Defined Release Schedule - | Establish defined release schedule with stronger input from Publishers / other 3rd parties | Proposed | Awaiting confirmation from IAB |  |
|  | * + TCF Processing purposes | Review and focus upon the specificity of the activity with regard to the data processing activities | Raised with IAB & Presented to ICO | With IAB | ICO acknowledge need to explore ‘Purpose Separation |
|  | * + TCF operations | Develop capability for information of companies that have seen/touched data to be relayed back up the Daisy chain – e.g. to enable Data Controller to better understand who data has been disclosed to and enable info to be presented in an Ad icon ? | Raised with IAB |  | Need further clarity on how this is being explored |
|  | * + TCF vendor governance | TCF vendors - Requirement to have Data Protection Officer nominated and published to maintain place on TCF framework | To Discuss |  | All to be discussed but dependent upon confirmation from IAB re TCF framework / governance development |
|  | TCF vendors - Greater transparency of data practices to be included in Framework - e.g. Data Retention period / Privacy Contact | To Discuss |  |
|  | Vendors Quarantine period - 2 months before inclusion onto vendors.json with sign on process. To reduce risk of noncompliance / bad actors. | To Discuss |  |
|  | CMP / Vendor Exit process - Data destruction confirmation / certificates provided to IAB. To ensure data and associated data is deleted &protect CMP users | To Discuss |  |
| 1. **Enhancing the level of Transparency / Supporting Data Subjects to exercise Rights** | | | | | |
|  | * + Data Subject – Communication / TCF Messaging | Establish CMP messaging common protocol e.g. 1st layer standard information needed   * Highlight Aggregate Number of companies seeking consent / transparency * Establish CMP minimum / optimum 1st layer "Consent" messaging protocol | To be raised through CMP’s |  | CMP discussion is required unless publishers act alone. |
|  | Prioritise importance of the TCF purposes based upon risks to Rights and Freedoms of the Data Subjects and present highest risk / concerns accordingly | Under Review |  |  |
|  | Consolidate reporting based upon Prioritised wp260rev table - Provide aggregated information prioritised by importance / relevance i.e. *" the quality, accessibility and comprehensibility of the information is as important as the actual content of the transparency information, which must be provided to data subjects"* |  |  |  |
|  | * + Establish Central HELP Facility for consumers | To enable Data Subjects to view & understand who has consent / access to data and to facilitate the ability to adjust preferences and exercise rights | Proposed | Awaiting confirmation from IAB | Ideally best hosted in central Industry location |
| 1. **RTB framework - Rules / Protocols** | | | | | |
|  | * + RTB data Auto delete protocol | Data should be deleted immediately upon notification of failed bid. Use Exception reporting i.e. onus on company that retains data to inform Data Controllers up stream. | Proposed communication from SSP’s |  | Managed best by SSP’s – AOP to raise (shared with IAB/ISBA/IPA) |
|  | * + Confirm and publish maximum data retention time frame based upon TCF purposes | Data processed & retained for only specified time | Proposed to IAB & ICO |  |  |
|  | * + Cap number of data companies that can see data to finite number - maximum to be reviewed / agreed | Limit exposure of the number of companies data is made visible to | Exploring with IAB, proposed to ICO |  |  |
|  | * + Industry Walled Garden - Limit data passed across between players | Constrain data within Auction pool with read only rights not extraction right. Or establish ledger-based process based upon Data credit / debit agreed | Under review, further discussion required |  | More feedback required from AOP working group |
| 1. **Technologies supporting the Ad Tech Industry** | | | | | |
|  | * + Confirm responsibility of actors/tech providers to Identify /clarify who synching cookies with - define publish retention policy & verify | Data Protection by Design principle to prevent inadvertent data leakage over time | Proposed communication from Ad-Tech vendors |  | German Data Protection Authority are proposing a vendor responsibility in addition to Data Controllers / Data Processor’s |
|  | * + Lock down data sharing functionality to OFF and increase the process for turning on - DP by Design to prevent inadvertent data leakage. |  | Shared with ICO |  |  |
|  | * + Responsibility for Function / Enhancements in Ad Tech technologies resulting in Privacy risk to be flagged with user ! | Supports DP by Design to prevent inadvertent data leakage over time. | Shared with ICO |  |  |
| 1. **Publishers Collective Audit of 3rd parties** | | | | | |
|  | * + Set up consolidated audit log of suppliers in the ecosystem – maintain review schedule | Controllers should be testing the technical and operational mechanisms of third-party suppliers Rather than test individually a collective testing approach enables suppliers to be white labelled based upon common testing criteria | Explore Further |  | Would extend and share non commercially sensitive data across Publishers |
|  | * + AOP / Publisher collective Testing of 3rd Parties ability to support the Rights and Freedoms of data Subjects |  | Shared with AOP working Group |  | Incorporated within proposed DPIA Guidance, further exploration required |
| 1. **Support from the Regulator – ICO** | | | | | |
|  | * + Publish Aggregate statistics regarding DPIA's received / Approved. | Provides positioning of maturity of the market plus "MOT for Data Protection" for individual companies | Proposed | Ongoing Discussion with ICO |  |
|  | * + ICO publish anonymous DPIA's / LIA test for Analytics / Marketing ? | To highlight awareness and provide best practice examples. | Raised | Not currently available | To Address through AOP initially |
| 1. **Enhanced Education / Trade Body Support** | | | | | |
|  | * + Establish AOP(PUBLISHERS) Data Protection Officer Group | To meet and share best practice - To improve the knowledge & provide support to DPO's in Publisher Organisations | COMMENCED |  |  |
|  | * + Develop AOP specific Guidance | To improve awareness and highlight best practice with regard to Data Protection | In progress | Commencing April 2020 |  |
|  | * + AOP / ICO DPIA Library (Notification) | To "Provide example of DPIA's template / updated statistics from DPIA " | Proposed | In development | Requires publishers to make redacted copies available to AOP |
|  | * + Audit Organisational Documentation | Peer review - raise standard of documentation.  Develop Framework for process beyond Filed Documents. | Proposed |  |  |
|  | * + Confirm Advertising requirements match data processing demands | Practices set up as "Good ideas" become common practice - or demanded by market" – Investigate use of and who is requesting reporting at low level of granularity? | Wider stakeholder input required |  |  |