



Do I need to register with the ICO?

What is the ICO?

The Information Commissioner's Office (ICO) is the UK's data protection regulator who individuals can complain to if they feel their data protection rights have been breached. The ICO has the power to impose fines on organisations who fail to comply with data protection legislation.

Why should I register and what is the data protection fee?

It is the law to pay the fee where required to do so, but it also improves your reputation as a business. Being listed as a fee payer on the ICO's website sends a strong message to other companies seeking to do business with you and your guests that you take your data protection obligations seriously.

Any business that is processing personal information is required by law to pay a data protection fee to the ICO unless they are exempt. The cost of the data protection fee payable depends on the size of your business and turnover. Most PASC Members are likely to fall into the micro-organisation category (Tier 1) which means the annual fee is £40.

You need to renew your data protection fee every year or let the ICO know that you no longer need to be registered. If you fail to do so, the ICO can issue a fine of up to £4,000 in addition to the data protection fee that you are required to pay so it is important you do not miss the renewal deadline. The ICO will usually remind you that your fee is due, so it is important to keep your contact details up to date.

Do I need to register?

If you process personal data using computers or any system that can process information automatically, including CCTV systems, you need to register. On this basis, it is highly likely that if you are a PASC member, you should register with the ICO.

Operating a website with online booking capability, engaging with guests and potential guests via social media and collecting and holding guest data with a third party (e.g., Mail Chimp) for the purposes of marketing to them are all examples of activities which would require a commercial business to register with the ICO.

There are some exemptions which may apply but these are limited in scope and we would therefore recommend PASC members simply pay the fee as the safest course of action.

If you operate a CCTV system you will need to register, even if you are exempt. Whilst there is a household exemption which applies if you use CCTV for domestic purposes, i.e., to monitor your own home, even if it films beyond the boundaries of your property you will be exempt from paying a fee. However, the use of CCTV in self-catering accommodation would not be considered use for domestic purposes as you are not processing 'in the course of a purely personal or household activity'.

DISCLAIMER

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www.pascuk.co.uk