



Registration with the Information Commissioner's Office Guidance for Local Optical Committees

Further to recent guidance that we have issued on GDPR, this guidance is for LOCs on registering with the Information Commissioner's Office as Data Controllers.

The Information Commissioner's Office (ICO) is the independent supervisory authority set up to promote and oversee compliance with data protection legislation in the UK. Under the 2018 Regulations, organisations that determine the purpose for which personal data is processed (data controllers) must pay the ICO a data protection fee unless they are exempt.

LOCSU's guidance is that LOCs should register as Data Controllers with the ICO. This is due to them not being not for profit organisation and as such not being exempt. In addition, personal data is shared between two data controllers i.e. with the GOC when running CET courses.

There are 3 tiers with varying fees which are set by Parliament to reflect what it believes is appropriate based on the risks posed by the processing of personal data by controllers. The tier an organisation falls into depends on:

- how many members of staff you have
- your annual turnover
- whether you are a public authority
- whether you are a charity
- whether you are a small occupational pension scheme.

As below, LOCs fall into Tier 1 - micro organisations under ICO rules and will therefore pay a fee of £40.

Tier 1 – micro organisations

- You have a maximum turnover of £632,000 for your financial year or no more than 10 members of staff. The fee for tier 1 is £40.

Please note that the ICO regards all controllers as eligible to pay a fee in tier 3 unless and until they are told otherwise so ensure you inform them you are Tier 1 organisations.

The full ICO guidance on the registering and the data protection fee can be found here:

<https://ico.org.uk/media/for-organisations/documents/2258205/dp-fee-guide-for-controllers-20180221.pdf>.