

UK Guidance on Data Protection Rules for Social Media

JULY 11, 2013

The UK Information Commissioner's Office (ICO) recently published a [guidance](#) on the applicability of the UK Data Protection Act to online forums such as social networking sites, message boards or blogs. The guidance reminds both companies and individuals that the Act's data processing obligations apply not just to those who run social media sites, but those who use the sites as well. The Act does have a limited exception: when social media is used by an individual for their own personal, family or household affairs. This exception is narrow, however. So individuals using social media for their own small business, and even most non-commercial entities, won't be exempt and must still comply with the Act. The guidance provides information about compliance for those who run social media sites, but other than reminding that the Act applies, provides little guidance for those who use such sites for non-personal purposes.

TIP: This guidance is a reminder to companies subject to UK laws and jurisdiction that their use of social media is subject to the data protection laws of the UK. As social media is used more and more frequently for marketing and employment purposes, companies should think about the Act's requirements.

This tip has been created for information and planning purposes. It is not intended to be, nor should it be, substituted for legal advice, which turns on specific facts.

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