Cookies

Summary

- New legal requirements on the control of "cookies" by website operators came into in force on 26 May ("cookies" are electronic tags placed by websites on users' receiving equipment).
- Operators must now tell website users that, if they access their site, cookies will be automatically downloaded onto users' IT equipment, unless they opt out of receiving them.
- The School is ensuring that these requirements are met for LSE webpages using the School's Content Management System (CMS).
- For webpages and applications not using the School's CMS, individual webpage proprietors are responsible for notifying and dealing with users
- We understand that you are the proprietor of an LSE website and/or application not using CMS. This note is tells you what <u>you</u> must do <u>NOW</u> to stay legal.

1. In May 2011 the UK implemented a European Directive on privacy in electronic communications. This requires action on the part of UK website operators by 26 May 2012.

2. Website operators are now required to publish information about cookies used on their sites and to ensure that users give their consent before these cookies are used.

3. The Information Commissioner's Office issued practical guidance in December 2011, but found from the experience of using it on their own website that it was unworkable. Revised guidance was issued on 24 May 2012, two days before the new regulations took effect.

4. The key issue is the degree of explicit or implicit consent users must give for website proprietors to embed cookies on users' receiving equipment. Earlier advice was the consent

had to be explicit (i.e. sought on a pop-up or similar device on the website). That has now been relaxed and implicit consent (i.e. reliance on browser settings and terms of use) has been declared acceptable, depending upon context.

5. The LSE Director's Management Team has now agreed an initial "implied consent" approach for the School. This involves notifying users that the default position on LSE websites is that cookies will be implanted in their machines, but that they may change the settings of their computer to refuse cookies if they wish. Meanwhile, the School will continue to monitor/review the ICO's position on the issue of consent over the coming months.

6. Work is well advanced to implement this approach on centrally managed websites published using the LSE CMS. As a proprietor of an LSE website/application not using CMS, you now need you to follow similar steps for the websites/applications for which you are responsible. These are set out below. Stephen Emmott (ERD) and Rachael Maguire (GLPD) have produced this guidance. However, they cannot do the work for you, as they do not have access to your site or applications.

7. While there is no deadline for full implementation, we all need to be able to show that we have a plan and that work is at in train. Please ensure that this is done as soon as possible. If you cannot show you have a plan and work is in hand, you run the risk of prosecution and of your website being shut down.

8. For the School to have assurance that these steps have been implemented, please sign the confirmation at the foot of this note by no later than 30 September 2012 and forward it to Andrew Webb, Director of PCPD and Business Continuity (a.webb@lse.ac.uk).

Cookies Legislation

<u>Steps to follow for websites/apps that are not centrally managed</u>

1) Review the attached spreadsheet and follow steps 2, 3 and 4 for each entry where you are responsible and action is required (ie those entries marked 'Y' in the 'Action ?' column).

2) Audit your service to identify the cookies it uses. Stephen Emmott in Web Services has conducted a number of audits for the School already and can advise during web surgeries on how to do this.

3) Send the results of your audit to Stephen Emmott. If your service is addressed using the lse.ac.uk domain (eg exchange.lse.ac.uk, moodle.lse.ac.uk, www.lse.ac.uk), the results of your audit will be added to the central cookies page on the main LSE website:

> http://www2.lse.ac.uk/aboutThisWebsite/termsOfUse/cookies.aspx

If your service is addressed using a different domain (eg www.cccep.ac.uk), you may need to create your own cookies page, and possibly separate terms of use if these are not already in place. Stephen can advise.

4) Create a prominent link entitled 'Cookies?' from the header of every page on your service to the central cookies page. You should implement this using the CookieCuttr solution - see http://cookiecuttr.com/ - using the 'Discreet link' option – see http://cookiecuttr.com/demo/discreet-link/ - with the discreet link aligned either top left or top right: whichever fits best on your pages. Using CookieCuttr is important, as it will standardise LSE's response and make explicit opt-in - rather than implied - consent possible, should this be necessary.

5) Having reviewed the attached spreadsheet list of web site/applications, notify web services of any that are services that are missing.

_____

CONFIRMATION

To: Andrew Webb, TW1 6.01c
From: _____
Re: Websites: _____

I confirm that action steps 1-5 set out in the School Secretary's circular of 29 June 2012 regarding "Cookies" have been implemented for the above websites

Name……………………………………………..

Department/Division………………………..

Date…………………………………………………

Review schedule

Review interval	Next review due by	Next review start

Version history

Version	Date	Approved by	Notes
1	29 June 2012	School Secretary	

Contacts

Position	Name	Email	Notes
Records Manager	Rachael Maguire	r.e.maguire@lse.ac.uk	

Communications and Training

Will this document be publicised through Internal Communications?	**Yes**
Will training needs arise from this policy	**Yes**
If Yes, please give details	