

Why new 'internet cookie' law affects ALL website owners

Website owners now have just a few months to comply with a new law which governs how information can be stored on users' computers. But with recent research from the Direct Marketing Association revealing that only 21% of UK adults understand how 'internet cookies' work, what exactly does this mean for businesses and organisations day-to-day?

Basically, the new regulations say that anyone running a website in the UK needs to get consent from visitors to their website in order to store information – such as internet cookies - on people's computers. A key change is that users will have to 'opt in' to having cookies placed on their machine, rather than 'opting out'. Online statistical tools like Google Analytics will also have to comply with the new law.

The Information Commissioners Office (ICO) has given site owners a 12 month grace period to get ready for the new law. However, this comes to an end in May 2012 and our digital solutions team has been working with organisations to help clients design and implement these essential changes ahead of the deadline. Here's a quick rundown of the ICO's advice:

1. Check what type of cookies you use and how you use them:

Create an audit of how your website uses cookies, where it uses them and what type of cookies they are. You then need to ask yourself "is this cookie necessary?" You may still have cookies from past versions of the website or from outdated, unused pages. Tidy the website to remove any unused cookies.

2. Assess how intrusive your use of cookies is:

The purpose of the update to the law is to create more protection for users, so consider how the cookie functions on a scale of neutral to intrusive. Most cookies will be fairly neutral, collecting information on page hits or aesthetic preferences. However, you may have more intrusive cookies that monitor what other websites the user is visiting and provide content accordingly. Obviously, the higher on the intrusive scale, the more appropriate the consent needs to be.

3. Decide what solution to obtain consent will be best in your circumstances:

Information must be provided for the first time the cookie is set. However, once consent has been gained for this cookie, providing its purpose doesn't change, you don't need to gain consent again for that user.

"It's important to note that changing the terms of use alone to include consent for cookies would not be good enough even if the user had previously consented to the overarching terms. Consent has to be specific and informed." (ICO)

If all this seems like a daunting task...yes, it is a big challenge for many. However, the ICO recently warned that organisations simply can't 'ignore' the new rules. Remember there's still time to comply with the new law, but now's the time to act!

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