

## Digital Regulation Cooperation Forum



## Call for Input - Digital Regulation Cooperation Forum workplan 2023 to 2024

This Call for Input provides stakeholders with the opportunity to provide their views about issues that the DRCF should take into consideration as it develops its plan of work for 2023 to 2024.

# 1. Introduction

The Digital Regulation Cooperation Forum (DRCF) brings four UK regulators (CMA, Ofcom, ICO and the FCA) together to deliver a coherent approach on digital regulation for the benefit of people and businesses online.<sup>1</sup> We formed the DRCF because efficient joined-up regulation is key to addressing the complex challenges that digital services and technologies pose. This role is even more important at a time of economic uncertainty for both users and industry and we seek to provide them with greater clarity and consistency.

Digital regulation is a rapidly evolving field. The DRCF model promotes coherence between regulatory regimes that cover multiple sectors across the economy. Collectively we, the member regulators, have a significant responsibility - both now and in the future - for digital regulation in the UK. Looking to next year, the Parliamentary passage and implementation of new legislation, including the Online Safety Bill and the Digital Markets, Competition and Consumer Bill as well as further financial services reform, will all influence the direction of the DRCF, its priorities and how it operates.

## 2. Goals of the DRCF

The overarching goals of the DRCF are to promote:

- **Coherence between regimes** – given the interactions and potential tensions between the regulatory regimes, we must work together to provide clarity and consistency for people and businesses using digital services. Our coherence work can also identify ways in which working together can help our individual objectives to work in unison.
- **Collaboration on projects** – there is significant benefit in us coming together to address complex problems in areas of common interest. While we each need to deal with issues and make decisions in a bespoke way to deliver on our regulatory duties, we have opportunities to work together to achieve common goals. Doing this will allow us to work more efficiently, avoid duplicated efforts, develop shared approaches and deliver joint guidance for industry where appropriate.
- **Capability building across regulators** – by working together, we can more efficiently develop and retain the right skills, knowledge, expertise and organisational capability to deliver effective digital regulation for people and businesses.

## 3. Workplan 2022/23

In April 2022, we published our plan of work<sup>2</sup> for 2022 to 2023. This plan set out how the member regulators aimed to approach joint areas of UK digital regulation through the DRCF across the subsequent 12 months. We are on track to deliver all of our workplan commitments.

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<sup>1</sup> Our Terms of Reference can be found here: [DRCF: Terms of reference - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/108242/drcf-terms-of-reference.pdf)

<sup>2</sup> [Digital Regulation Cooperation Forum workplan 2022 to 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/108242/drcf-workplan-2022-to-2023.pdf)

## Snapshot of Workplan 22/23

Coherence	<p><b>Protecting children online:</b> We want our efforts to be synchronised - with a particular focus on improving outcomes for children and parents - by ensuring privacy and online safety protections work in unison. This includes developing a joint working framework to support the oversight of Ofcom’s Video Sharing Platform (VSP) regulatory framework and the ICO’s Age Appropriate Design Code (AADC) regime, as well as publishing <a href="#">joint research on age assurance</a>.</p>
	<p><b>Promoting competition and privacy in online advertising:</b> Through the DRCF we want to foster competitive online advertising markets that deliver innovation and economic growth, while respecting consumer and data protection rights. The CMA and ICO have been <a href="#">working together</a> on the <a href="#">implementation of Google’s emerging proposals</a> to phase out third-party cookies; and Apple’s App Tracking Transparency and Intelligent Tracking Prevention features.</p>
	<p>We are also conducting further work to ensure a coherent approach across our regimes. This includes:</p> <ul style="list-style-type: none"> <li>• <b>mapping interactions</b> between relevant regulatory regimes;</li> <li>• publishing the CMA and Ofcom’s shared views on the interactions between <a href="#">competition and online safety policy</a>;</li> <li>• publishing a statement on how we plan to work together to address areas of <a href="#">interaction between the online safety and privacy regimes</a>;</li> <li>• continuing to develop our understanding of <b>end-to-end encryption</b> after hosting a <a href="#">successful roundtable</a> earlier this year; and</li> <li>• building on engagement between Ofcom and FCA on online <b>fraud and scams</b></li> </ul>
Collaboration	<p><b>Supporting improvements in algorithmic transparency:</b> We want to support the use of algorithmic processing in a way that <a href="#">promotes its benefits and mitigates risks</a> to people and competition. Transparency is key to this. This workstream is exploring ways of <a href="#">improving algorithmic transparency and auditing</a> and aims to improve our capabilities for algorithmic auditing, research the market for third-party auditing and promote transparency in algorithmic procurement.</p>
	<p><b>Enabling innovation in the industries we regulate:</b> Under this workstream DRCF members are collaborating on projects and services to support responsible innovation, in order to provide greater regulatory certainty to innovators. This includes engagement with industry and work on assessing whether and how to introduce a multi-agency advice service for digital innovators, as offering joined-up regulatory advice will reduce burdens and complexity for businesses navigating multiple regulatory remits. We will carry out exploratory research and pilot a service designed around the views, needs and working practices of innovators across the digital economy. This work will be partially funded by the <a href="#">BEIS Regulatory Pioneer’s Fund</a>.<sup>3</sup></p>
Capability	<p><b>Improving knowledge sharing through expert networks:</b> This involves supporting connections between experts in our organisations to drive sustained collaboration on shared policy areas. For example, we have created a network to join up on the use of regulatory technologies (RegTech) and supervisory technologies (SupTech).</p>
	<p><b>Building on synergies and bridging gaps in our horizon scanning activity:</b> This builds on ongoing programmes of horizon scanning across the regulators. This</p>

<sup>3</sup> This project has been made possible by a grant from the £12 million Regulators’ Pioneer Fund launched by the Department for Business, Energy and Industrial Strategy (BEIS). The fund enables UK regulators and local authorities to help create a UK regulatory environment that unleashes innovation and makes the UK the best place to start and grow a business.

	scanning aims to develop knowledge on areas of rapid innovation and join up on engagement via external events. We have held a number of events already this year (such as our <a href="#">Metaverse</a> and <a href="#">Web.30</a> symposia), and continue to work together to identify and bridge gaps and offer collective, public insights of emerging technologies. This will help us better understand tech priorities for future DRCF workplans. We are also making research on digital regulation widely available to all via our <a href="#">research portal</a> .
	<b>Recruiting and retaining specialist talent across all 4 regulators:</b> Despite our different regulatory roles, we need common skills and expertise. This workstream supports the regulators to attract, build and retain the skills we need to deliver on current and future digital responsibilities.

## 4. Setting our direction for next year

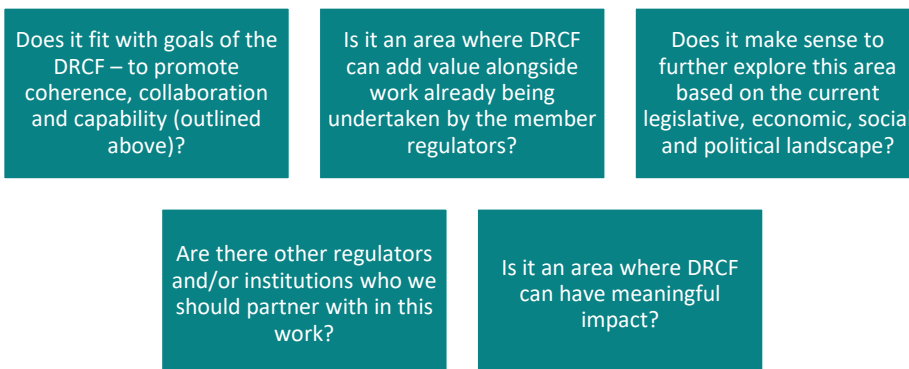
We are currently scoping how the DRCF can build upon this current workplan. Just as our 2022/23 workplan was an advance in ambition and scope from our first plan, our intention is to develop a programme of work for 2023/24 that further builds on the progress we have made, and identify new areas where there would be a benefit in the DRCF co-ordinating further work.

Our work will be framed by our over-arching goals of **coherence**, **collaboration** and **capability building**. Many of the bilateral projects set out in our 2022/23 workplan are envisaged as being multi-year and will therefore be moving into new phases in light of the changing technological and legislative context. For example, the prospect of implementation of new legislative regimes during the 2023/24 period means that DRCF members could be in a more operational phase, highlighting an even greater need for our coherence work. Our bilateral projects on the intersection of issues such as online safety, competition and data protection could therefore include more focus on working processes and issues of implementation e.g. by developing codes of practice.

Projects where we have set up joint working teams across all four of the regulators will also continue into next year. This includes our horizon scanning programmes, where we will further build our capability to proactively identify new regulatory issues raised by emerging technologies. Our project on algorithmic transparency will explore the opportunities for third party algorithmic auditing. We will continue to encourage responsible innovation, including through exploring and piloting the potential for targeted, practical support for innovators.

### Factors we consider when prioritising work

We are also considering the case for other areas where collaboration between DRCF members could be beneficial, while also recognising the need to be efficient and proportionate in our volume of work. When thinking about this, we must consider each regulators ability to resource further work alongside other factors including:



## 5. Call for Input

This Call for Input provides stakeholders with the opportunity to provide their views about issues that the DRCF should take into consideration as it develops its plan of work for 2023 to 2024. It sits alongside our ongoing and regular engagement with external stakeholders including industry, Government, Parliament, other regulatory bodies and international partners.

We are seeking views on how the DRCF as a co-ordinating body can bring together its members for the benefit of people and businesses online. We are particularly interested in your views on the following questions:

- 1. Are there policy interactions or technologies you would like the DRCF to take into consideration as it develops its workplan for 2023/24? Why are these important? Please outline areas that cover at least two of the DRCF member regulators' remits.**
- 2. In line with the 'factors we consider when prioritising work' (see above), are there any areas of focus you believe align with these that are not covered in our previous workplan?**
- 3. Are there any particular stakeholder groups (e.g. end users such as vulnerable consumers, children, businesses) that you believe the DRCF should be particularly mindful of when prioritising areas of focus for the DRCF?**

Each DRCF member regulator consults separately on their own plan of work in accordance with their own respective legal obligations, often via a statutory consultation. The responses to this informal Call for Input should not be treated as responses to those statutory consultations.

The DRCF is not a standalone legal entity and, for the avoidance of doubt, information submitted in response to this Call for Input should be treated as information submitted to each DRCF member (CMA, Ofcom, ICO and FCA).

## 6. Next steps

We invite stakeholders' views on the above questions by **no later than 6<sup>th</sup> January 2022**. Please send your responses to [DRCF@ofcom.org.uk](mailto:DRCF@ofcom.org.uk)

**We expect to publish submissions under this Call for Input alongside the publication of our workplan for 2023 to 2024.** Please clearly mark any responses or sections of your response you would like to remain confidential.<sup>4567</sup>

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<sup>4</sup> FCA privacy notice: <https://www.fca.org.uk/privacy>

<sup>5</sup> Ofcom privacy notice: [General Privacy Statement – How we handle your personal data - Ofcom](#)

<sup>6</sup> CMA privacy notice: [Personal information charter - Competition and Markets Authority - GOV.UK \(www.gov.uk\)](#)

<sup>7</sup> ICO privacy notice [ICO Privacy notice | ICO](#)