

Information Commissioner announces new AI guidance and package of measures to support the Government's growth agenda

25 March 2025  Matthew Alderton

On 17 March 2025 the Information Commissioner announced a new package of measures following a meeting with the Chancellor of the Exchequer to support the Government's growth agenda.

These measures included:

- a free **data essentials training** programme for small businesses;
- introducing a **statutory code of practice for private and public sector businesses** developing or deploying AI to unleash the possibilities of the technology while safeguarding the public's privacy — and strengthening the UK's position as a global AI leader;
- **simpler guidance for businesses** developing or deploying AI, ensuring clarity of the data protection law;
- a privacy-friendly **advertising review**; and
- new **guidance on international transfers of data**, designed to boost trade and drive innovation, investment, competition and growth.

It is anticipated that the ICO will move quickly on this front, with further announcements expected over the coming months setting out the precise timeframes for implementation.

New guidance on the use of AI

Following a request from the UK industry, the Information Commissioner has also published new guidance to clarify requirements around fairness when using AI. The new guidance includes:

- A standalone chapter with new high-level content on the transparency principle as it applies to AI;
- An updated chapter that explains what organisations need to do to ensure lawfulness in AI systems;
- An updated chapter that explains what organisations need to do to ensure accuracy, particularly statistical accuracy; and
- New chapter that explains the fairness principle, including an annex that explains fairness in the AI lifecycle. This chapter includes new information on:
 - data protection's approach to fairness, how it applies to AI and a non-exhaustive list of legal provisions to consider.
 - the difference between fairness, algorithmic fairness, bias and discrimination.
 - high level considerations when thinking about evaluating fairness and inherent trade-offs.
 - processing personal data for bias mitigation.
 - technical approaches to mitigate algorithmic bias.
 - how are solely automated decision-making and relevant safeguards linked to fairness, and key questions to ask when considering Article 22 of the UK GDPR.

The new guidance will be welcomed by public bodies who are currently grappling with the question of how AI can help to transform the delivery of public services and relieve budgetary pressures.

How Browne Jacobson can help

We have a team of data protection experts able to assist public bodies to understand and implement the above legal principles when it comes to the design, governance and implementation of AI systems. We can draft organisational policies, user guides for staff on acceptable use, and run training on the legal principles on the core skills needed to upskill staff.

Please don't hesitate to contact us should you wish to discuss these new announcements, or if you have any questions generally about how AI can help to transform how your organisation carries out its public functions and duties.

Contact



Matthew Alderton

Partner

matthew.alderton@brownejacobson.com

+44 (0)330 045 2747

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