

## Pocket Guide to Data Protection

The Data Protection Act 1998 was enforced and enacted with the intention of ensuring that all information on individuals stored by the Government, businesses and organisations is kept privately and is not shared with others without the consent of the individual to which the data relates. Similarly it gives every individual the right to access and retrieve information that is being kept on them by such companies or Government departments.

Personal information means data which relates to a living individual who can be identified from that data. For example, most organisations will process personal data relating to employees, customers, suppliers and business contacts. These individuals are referred to in the Act as “data subjects”.

In essence it provides a framework and procedures to ensure that personal information is handled properly.

The Data Protection Act states that anyone who “processes” personal information must comply with the eight principles of data protection. The term 'processing' covers virtually any use which can be made of personal data, from collecting the data, storing it and using it to destroying it. The eight principles are that the data must be:

- Processed lawfully and fairly
- Obtained for specific and lawful purposes
- Adequate, relevant and not excessive
- Accurate and up to date
- Not held for longer than is necessary
- Processed in accordance with the individual's rights
- Kept secure
- Not sent abroad without adequate protection

The second area covered by the Act places the right to access personal information upon the individual, including the right to access and to alter any information that is held either electronically or on paper.

In order to assist employers and companies that collect data on individuals from breaking the Act, the Information Commissioner ([www.Informationcommissioner.gov.uk](http://www.Informationcommissioner.gov.uk)) has produced the “Employment Practices Data Protection Code” which outlines certain procedures and checks that can be done by the businesses in order to side step the complexities that the Act can produce. The Code can be accessed on the Information Commissioner’s website.