

DATA PROTECTION ACT 1998 – THE FACTS

Why does it exist?

As more and more information is collected about individuals (*you!*) there is a need for control over how it is processed, who has access to it and how it is used.

How can information stored in a computer be misused?

Information collected about you could be sold on to other companies or organisations, it could be transferred between government departments and it could contain mistakes and inaccuracies. You could find your data being used by organisations you would rather did not have it, or if it is wrong it could lead to all kinds of problems when the data is used.

What is the Data Protection Act?

The Data Protection Act covers the processing of data either manually or by computer. The Act places obligations on individuals and companies who collect and record personal information.

Who is involved in the DPA?

- **Data Subject** – this is you whenever any personal information about you is collected and stored
- **Data Controller** – the person in a company or organisation responsible for ensuring that information activities conform to the requirements of the DPA
- **Information Commissioner** – the individual appointed to oversee the operation of the act by Data Controllers and on behalf of Data Subjects

How does it work? The 8 Data Protection Principles

- Data must be obtained lawfully and fairly by legitimate means;
- Personal data must be used for the specific purpose it was collected;
- Personal data shall be adequate, relevant and not excessive;
- Personal data must be accurate and up to date;
- Personal data must not be kept for longer than it is required;
- Personal data must be processed in accordance with the rights of Data Subjects;
- Appropriate measures must be taken to safeguard the data against unauthorised access, unlawful processing and accidental loss or destruction;
- Personal data must not be transferred outside of the European Union unless the receiving country has equal or better protection for Data Subjects.

Can I have access to all my information?

To access any information stored by a company or organisation you must write to the Data Controller at that company and they must respond within 40 days. You do not have the right to see certain criminal information, references held or given in relation to education or employment, taxation information, and some medical and social workers reports.