

Data Protection Act 1998

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Members Development Training 2017



OBJECTIVE OF TRAINING

- To raise Members' awareness of their responsibility for handling personal information.
- Understand the law relating to handling sensitive information to which Members have access.
- Acknowledge the requirement to register with the Information Commissioner as Data Controller
- To raise awareness of other information request regimes



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Data Protection Act 1998

Legislation to regulate the processing of personal data, and also provides and protects the rights of the individual.

To comply with the Act, then we must all follow the eight enforceable principles



8 Principles of the Data Protection Act 1998

01

Be fairly
lawfully
processed

02

Be processed
for limited
purposes

03

Be adequate,
relevant and
not excessive

08

Not be transferred
to other countries
without adequate
protection

Personal Information must;

04

Be accurate
and
up-to-date

07

Must remain
secure

06

Be processed
in line with the
rights of the
data subject

05

Not be kept
for longer than
necessary

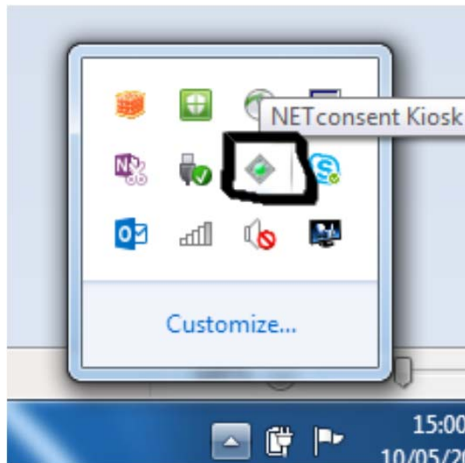

Powys



What do you need to do?



- Follow the Council's ICT and Information Security policies.
- These are available on the intranet on page 6614 or through your Netconsent icon



Policies

- **The most relevant policies are**
- Legal Responsibilities Policy
- Removable Media Policy
- Information Handling Policy
- IT Access Policy
- Email Acceptable Usage Policy
- Software Policy



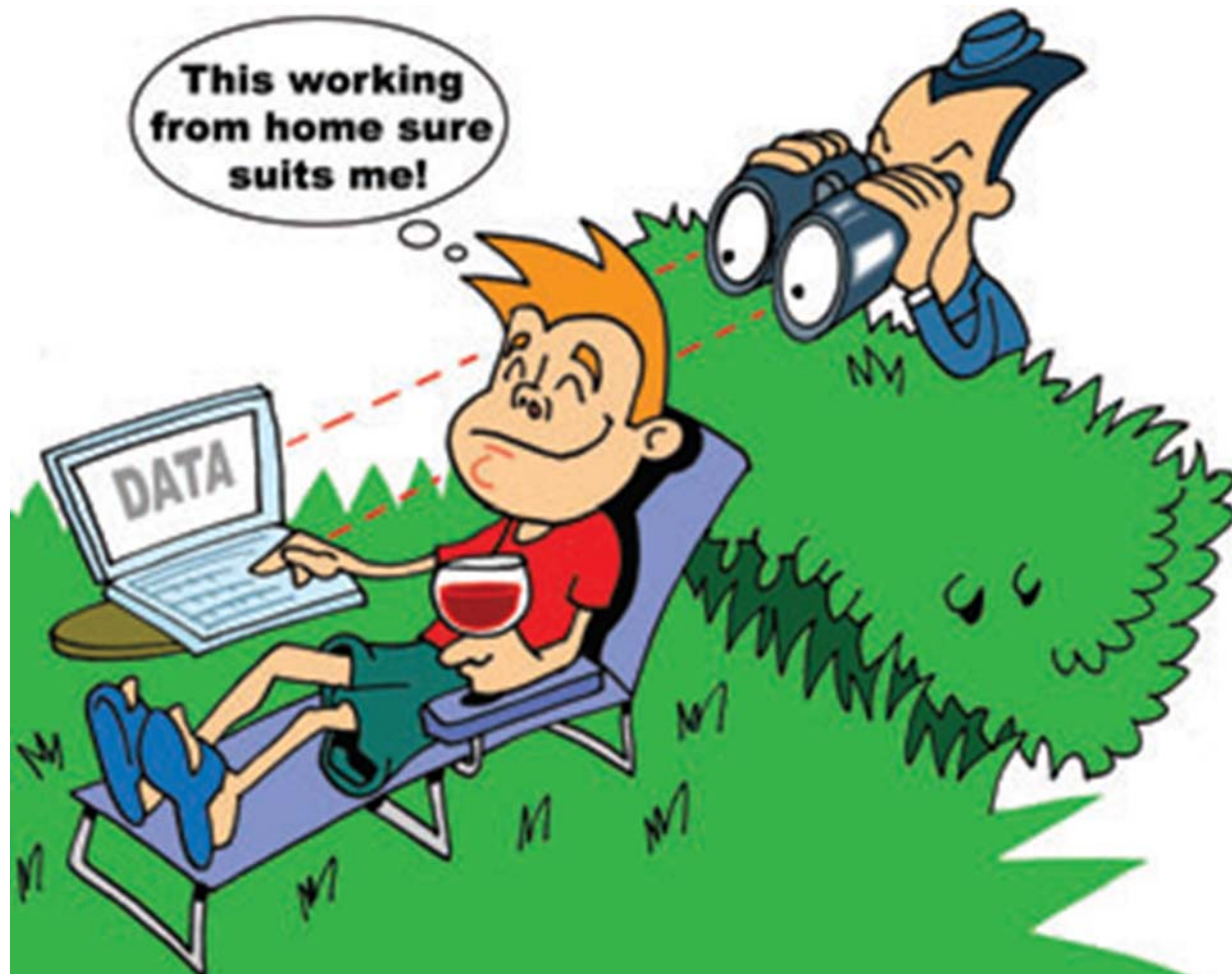
What do you need to do?

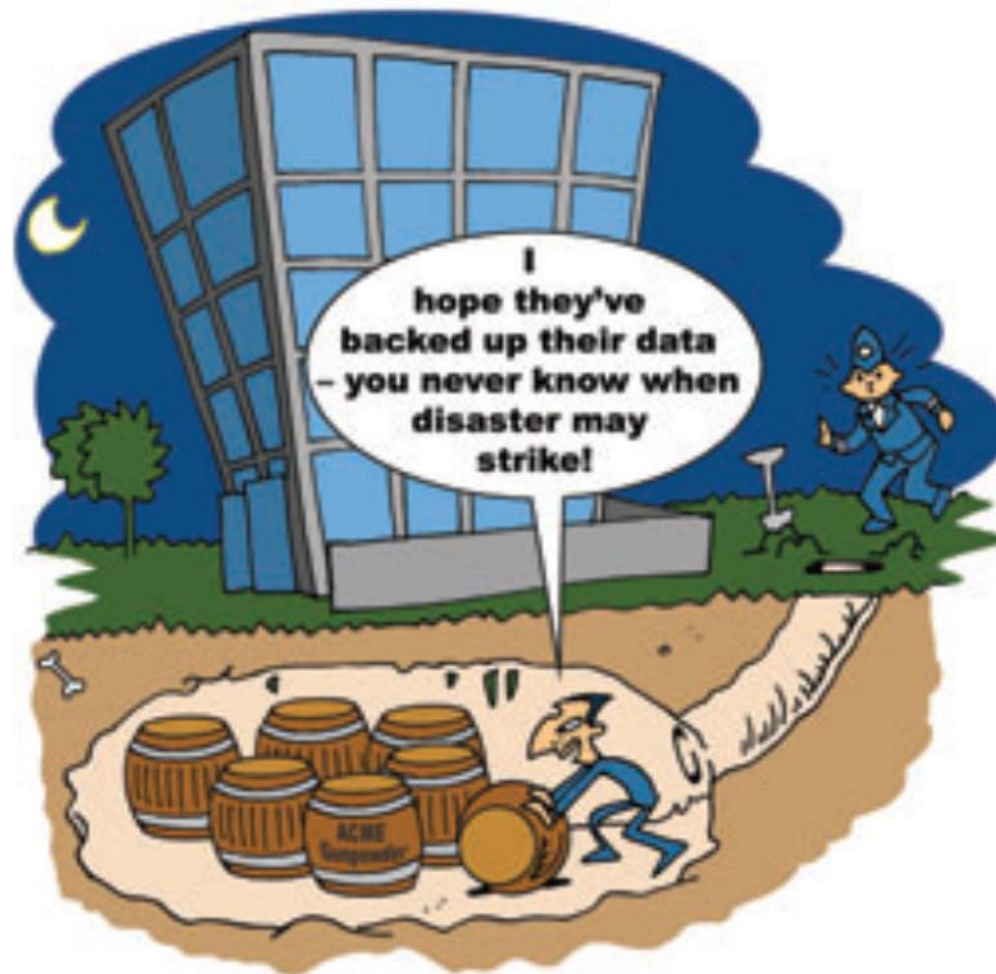


- Report information security incidents or data breaches
- Enables steps to be put in place to prevent a reoccurrence
- In order to improve we must learn from our mistakes.



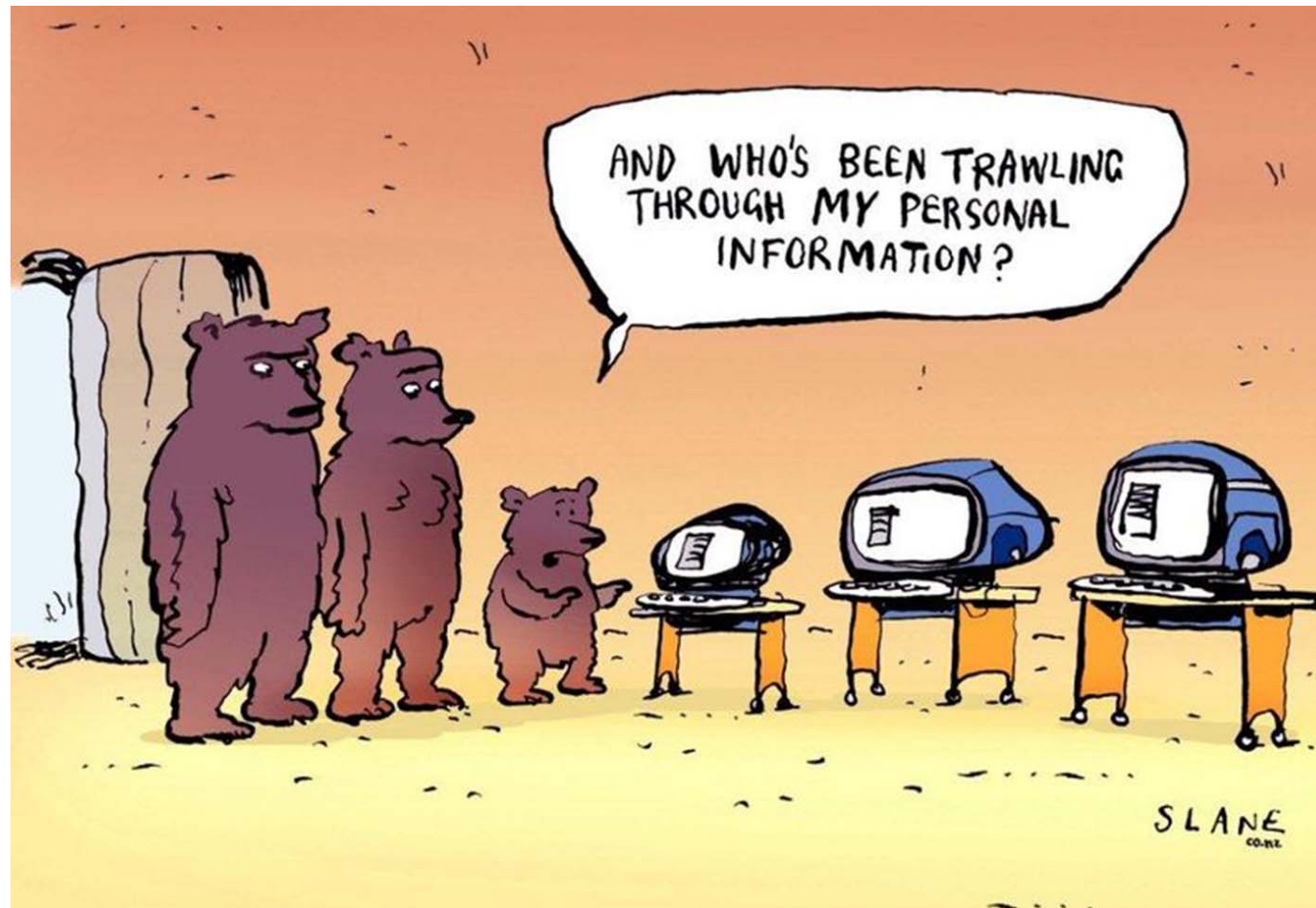














Statutory Regulator

- Information Commissioner (ICO)
- Requirement to register the processing of personal data with ICO



Statutory Regulator

- Other powers include being able to;
- Impose fines of up to £500,000 for serious breaches of data security
- Issue enforcement orders against organisations to improve practices



Statutory Regulator

- In December 2011 Powys County Council was fined £130,000 for a serious breach of the act where a child's information was sent to the wrong recipient.
- An enforcement order was also made requiring ALL staff with access to personal data to undertake and pass training on the Data Protection Act and our Policies every three years.



Learning from others

Greater Manchester Police has been fined £150,000 after three DVDs containing footage of interviews with victims of violent or sexual crimes got lost in the post.

The London Borough of Ealing was required to sign an undertaking to improve their training compliance and develop process for protecting manual information after a Social Worker left care proceedings documents on the roof of their car when leaving Court .

Norfolk County Council left files that included sensitive information about children in a cabinet sent to a second hand shop was fined £60,000

Dyfed-Powys Police was fined £150,000 for sending an email containing details of 8 sex offenders in Powys to a member of the public in error.



Training

- Training is provided via E learning
- Intranet page 7950
- Two Courses – **Data Protection Act** and **IT & Information Security**

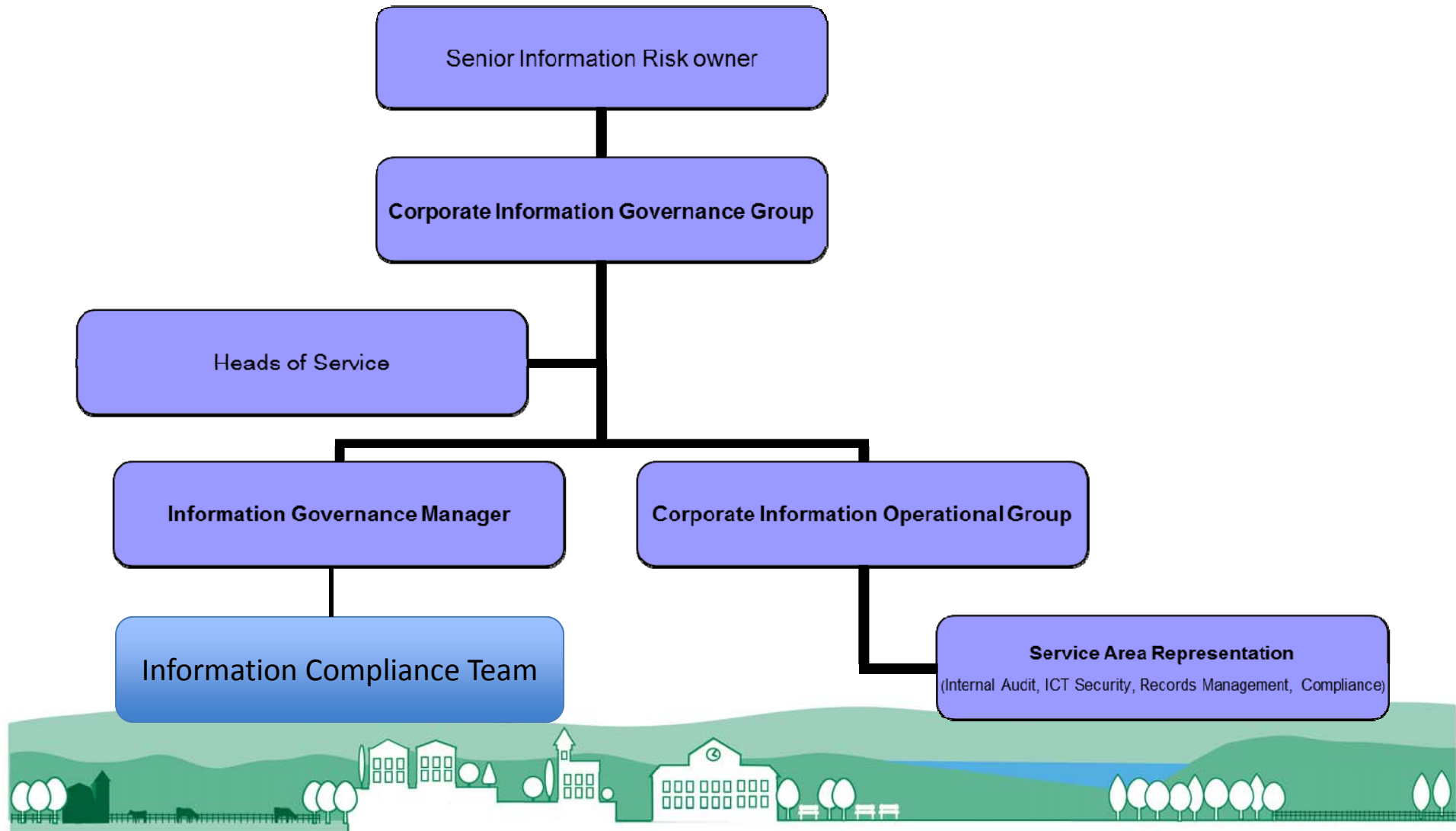


Information request regimes

- Data Protection Subject Access
- Freedom of Information Act 2000
- Environmental Information Regs 2000
- Timescales for compliance with such requests



Information Governance Structure



Coming Up

- 25th May 2018 General Data Protection Regulations (GDPR) will replace the DPA
- UK Government has confirmed that Britain leaving EU will not impact upon GDPR being implemented.
- Gap analysis undertaken to identify activity required to ensure compliance.
- Regular news articles to provide more information.



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