



DATA PROTECTION

Information Sheet for Employees

WHAT IS THE DATA PROTECTION ACT 1998?

The Data Protection Act 1998 is designed to protect the privacy of individuals, in particular with regards to the processing of their personal information. It should be seen as an extension of human rights legislation. The Act was introduced to meet the requirements of an EC Directive to ensure that all European citizens' personal information would be protected to the same level. The 1998 Act replaces the Data Protection Act 1984 which was primarily aimed at protecting computerised data. The new Act covers manual records as well as those held on computer.

HOW DOES IT AFFECT THE BOARD?

The Data Protection Act 1998 defines a set of principles governing how personal information should be managed and the Board must comply with these requirements. The Act also gives individuals the right of access to their information, to have information corrected or erased and in certain circumstances to prevent the processing of their details. It is unlawful to process personal information other than as provided. Unlawful processing includes disclosing personal information to another party. If the Board causes an individual damage or distress as a result of a breach of the Act they could claim compensation from the Board. Certain breaches of the Act amount to criminal offences and may be subject to prosecution.

WHAT ARE MY RESPONSIBILITIES?

Your Line Manager will tell you what you are allowed to do with the personal details held by the Board and you should follow all instructions carefully. There are strict limits on what information can be stored, used and disclosed and you must not undertake any work on such information without proper authorisation. If you are unsure about any work you are asked to do contact your Line Manager. You should also note that any individual who deliberately breaches the Data Protection Act could be personally responsible for any resulting criminal offence.

The disclosure of personal information will depend on a number of factors and you will be given instructions on what information you can disclose and to whom. If you are not sure if the information can be disclosed you should contact your Line Manager for guidance.

The only exception to the above information disclosure rules is where the information is required urgently to prevent an injury. If you are sure the disclosure will stop an injury from happening you may immediately disclose the personal information. All such emergency disclosures should be reported to your line manager and the Board's Freedom of Information Officer.

DATA PROTECTION & FREEDOM OF INFORMATION

You should be aware that Data Protection and Freedom of Information Laws are quite separate but are closely linked.

As indicated above, the use of personal and commercially sensitive information is strictly defined and controlled under the terms of the Data Protection legislation. Whilst the Board continually strives to remain open and transparent in an effort to meet its obligations under Freedom of Information Legislation, it nevertheless recognises that it has equally important obligations under the terms of the Data Protection Act of 1998.

You should be aware that the Board has very serious responsibilities and obligations under both the Freedom of Information and Data Protection Legislation, therefore, you should always refer any request for information made under the Freedom of Information Acts or the Data Protection Acts to your Line Manager or the Board's Freedom of Information Officer.