

Data protection



If your group keeps information about its members and/or enquirers it is covered by the Data Protection Act.

- The Data Protection Act exists to protect a group's members and enquirers, who are called Data Subjects. The group is called the Data Controller.
- The Act only covers living persons who can be identified as a result of accessing the data. Statistics made anonymous are not affected.
- All new membership or enquiry recording systems put in place, whether electronic or paper records, are covered by the Act. The regulations for systems put in place before 1998 should be checked with the Information Commission (formerly called the Data Protection Commission).
- Anyone processing personal data must comply with the eight enforceable principles of good practice. They say that data must be:
 - fairly and lawfully processed;
 - processed for limited purposes;
 - adequate, relevant and not excessive;
 - accurate;
 - not kept longer than necessary;
 - processed in accordance with the data subject's rights;
 - secure;
 - not transferred to countries without adequate protection.
- For further information about these principles go to:
<http://www.informationcommissioner.gov.uk/eventual.aspx?id=2042>

contact a family

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Tel 020 7608 8700 Fax 020 7608 8701 www.cafamily.org.uk info@cafamily.org.uk
Freephone Helpline 0808 808 3555 (Mon-Fri, 10am-4pm) Minicom 0808 808 3556

When an individual asks the group a question for which information has to be emailed or sent by post, the enquirer is giving **implied consent** for the group to use their email address or postal address for that purpose. This is the only consent the individual is giving. He/she has to be asked for permission (**explicit consent**) to use an address given for one purpose to be used for another; for example a family linking service.

- A group cannot pass on Sensitive Personal Data about an individual without their explicit consent. An exception to this would be if it is thought a crime, such as child abuse, is being perpetrated. An example of what is deemed to be Sensitive Personal Data would be the racial or ethnic origin, or the physical or mental health data relating to the individual. Clarification and further exceptions to this and their permissible use should be checked with the Information Commission, both for general purposes and for individual cases.
- Notification is the process by which a data controller's details are added to the register. The Data Protection Act 1998 requires every data controller who is processing personal data to notify the Information Commission unless they are exempt. To check your group's position and, if necessary, for full details of notification you should contact the Information Commissioner. Alternatively further information on notification and exemptions including a simple self assessment guide is available from *Notify* in the quick links menu on the Information Commissioner's web site **<http://www.informationcommissioner.gov.uk>**

If you need to notify your group as a data controller you can do so on line at:
<http://www.dpr.gov.uk/notify/4.html>

The Information Commission has a very good helpline which will be able to give you the latest information about your responsibilities under the Act.

The following information appears on the Information Commission website
<http://www.dataprotection.gov.uk>

If you are contacting the Information Commission for the first time with a Data Protection Act 1998 (DP) enquiry, use the Enquiry/Information Team telephone number.

If you would like help using Notification method for your group on the Data Protection Register, use the Notification telephone number.

Contact by post

Information Commissioner, Wycliffe House, Water Lane, Wilmslow
Cheshire SK9 5AF

Fax: 01625 524 510

Contact by telephone

Lines get very busy at certain times of the day. (You may prefer to write or email your enquiry. Please provide a daytime telephone number and a member of the Enquiry/Information Team will call you back in due course.)

Enquiry/Information Line	01625 545 745
Notification Line	01625 545 740
Switchboard	01625 545 700

Contact by email

General: data@dataprotection.gov.uk (It may be possible to provide a daytime telephone response to your enquiry. If you would be happy with this please place your telephone number in the 'Subject' box of your email and refer to this in your email.)

Notification: mail@notification.demon.co.uk

This guide is part of the Contact a Family Group Action Pack. For more information please visit <http://www.cafamily.org.uk> or telephone 020 7608 8700.

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