

Data Protection

The Data Protection Act 1998 imposes controls on individuals and organisations who hold personal data about individuals. It also gives individuals the right to see what personal data is held about them.

Councillors are likely to hold and ‘process’ personal information on individuals in different capacities – for their own purposes and for the purposes of council business.

The following documents give further information about Data Protection and the role of Elected Members.

- Leaflet on Data Protection, from the Information Commissioner;
- Data Protection: A Councillor’s Guide from the Information Commissioner;
- Compliance Advice for Elected Members, from the Information Commissioner;
- Compliance Advice for Disclosure to Elected Members, from the Information Commissioner; and
- Advice on the Notification Process, including a sample notification form

Further advice on Data Protection can be obtained from Doreen Broom, Access to Information Officer, Corporate IT Ext. 6516.

SCOTTISH BORDERS COUNCIL

DATA PROTECTION CODE OF PRACTICE

A QUICK GUIDE

The Council has registered its use of personal information with the Data Protection Commissioner in accordance with the Data Protection Act 1998 which came into force on 1 March 2000. The Data Protection Act 1998 now covers both paper and computer records and ensures adequate privacy measures for any personal data being transferred outwith the European Economic Area.

Detailed information is available in the Council's Data Protection Code of Practice and the associated Procedures, a copy of which is held by each portfolio's Data Protection Liaison Officer. This leaflet is provided as a Quick Guide (available on the intranet) to good working practices which everyone should observe.

KEY REMINDERS ON DATA PROTECTION

Data Protection Liaison Officers – Make sure you know who your portfolio's Data Protection Liaison Officer is. You can find this on the Intranet: click on Departments/Corporate Resources/Information Technology/Index/Departmental IT representatives. Should you have any questions about the proper use of the personal information being held you should contact him/her in the first instance.

Dealing with Enquiries – Always verify the identity of anyone asking about personal information. Always follow the Subject Access and Disclosure Procedures approved by the Council. Only disclose information in accordance with the Data Protection Notification a copy of which is held by your Data Protection Liaison Officer. If in doubt about disclosing information, make a written note of the request and refer it to your Data Protection Liaison Officer.

Computer Systems – Make sure you know who the Systems Administrator is for the systems which you use, and familiarise yourself with the proper procedures to be followed when using the systems. Always keep to the proper procedures. Remember that this means any kind of computer application including word processing and spreadsheets. If you wish to set up a new system which will hold personal information, contact your Data Protection Liaison Officer to see whether you need to register this with the Data Protection Commissioner prior to holding any live information in this way.

Forms – If you are designing a new form to collect personal information which will either be put on computer or held in a file, contact your Data Protection Liaison Officer at an early stage. It is essential that people know when completing the form that the information will be held on computer, what it will be used for and to whom it may be disclosed. All forms must be approved by the Council's Data Administrator before being used.

Security – accidental disclosure of personal information can occur if unattended computers are left logged on to systems or a computer print out is not shredded prior to disposal. The Council's Computer Security Policy and Standards gives more detailed guidance and should be observed by all staff. A Quick Guide to the SBC Computer Security Policy has been issued to all Council offices and will shortly be available on the Intranet.

If you have any questions about any of the above the Data Administrator in the IT Unit (Ext. 6516) will be pleased to discuss them with you.