

Act Now Newsletter April 2003

Welcome to our 10th newsletter on data protection and privacy issues in the public sector. Circulation now over 1,000. If you received this and don't want it email [info@actnow.org.uk](mailto:info@actnow.org.uk) and we'll remove you from our mailing list.

In this issue

NEW APPOINTMENT TO INFORMATION COMMISSIONER'S TEAM  
ACT NOW TRAINING COURSE UPDATE  
ENTITLEMENT CARDS – COMMISSIONER'S RESPONSE  
USE OF IMAGES – NATIVITY PLAY SYNDROME  
PECK V UK – NEW PRIVACY LAW?  
NAME & SHAME POSTERS BANNED  
ZETA JONES DISCUSSION FORUM  
FEES FOR HEALTH RECORDS  
USE OF NHS NUMBER  
LOCTA – LOCATING COUNCIL TAX ABSCONDERS  
YOT UPDATE – TO BE OR NOT TO BE A LEGAL ENTITY  
SETBACK FOR DATA SHARING - A MINISTER FOR DATA SHARING?  
AL-JAZEERA WEBSITE HIT BY HACKERS  
HOME OFFICE CONSULTATION ON INTERCEPTION OF COMMUNICATIONS  
FRENCH LETTERS & THE FIGHT AGAINST SPAM  
MANUAL RECORDS AND THE DATA PROTECTION ACT  
NEW FREEDOM OF INFORMATION COMMISSIONER  
E PRIVACY CONSULTATION  
PERSONAL EMAIL SURVEY  
RETENTION OF RECORDS SCHEDULE  
THE EEA JOKE HAS RUN ITS COURSE  
WEB COMMUNITY FOR LOCAL GOVT LAWYERS

\*\*\*\*\*

1. NEW APPOINTMENT TO INFORMATION COMMISSIONER'S TEAM

The first of the regional appointments has been made. Marie Anderson formerly a solicitor at the Northern Ireland Housing Executive is the Representative for the Information Commissioner in Northern Ireland. We're not sure about the official title but Assistant Commissioner is what we expect. Marie is a good friend to Act Now having attended one of our courses in Belfast and having commissioned us to do in house training for NIHE. She has agreed to speak about her new role at our DP course in Belfast on 16<sup>th</sup> October this year so reserve your places now.

2. ACT NOW TRAINING COURSE UPDATE

The Spring Programme has been extremely successful. Four of eight courses planned have run with excellent feedback from the delegates and Records Management in Manchester on the 16<sup>th</sup> April has only a couple of places left. The final 3 courses are DP in London on May 7<sup>th</sup>, FOI in Birmingham on June 19<sup>th</sup> and DP in Glasgow on June 25<sup>th</sup>. Click on [www.actnowtraining.co.uk](http://www.actnowtraining.co.uk) and look at the reviews. You can also book online for the last three courses. The autumn programme is being finalised and will be published in the July newsletter.

3. ENTITLEMENT CARDS – COMMISSIONER'S RESPONSE

The UK's data protection watchdog fears racial background and religious beliefs could be included in plans to introduce an ID card. The so-called entitlement cards are expected to contain personal details such as those found on passports and driving licences. The government has outlined various options for the amount of information to be on the cards and what they would be used for - such as claiming services and benefits.

But the Information Commissioner, Richard Thomas, said the proposals were so widely drawn he had "serious concerns" over whether the cards would comply with privacy and data protection laws. Although he realised that individuals sometimes needed a simple way of proving their identity, he identified several problems with the plans as they were. He also called for:

An independent body to administer the scheme

Strict limits on the amount of information held on the card

Effective sanctions against misuse

Reliable identity validation, possibly with a form of biometric identifier, and

Strengthened data protection supervision and inspection powers.

The commissioner's full response can be read on his website.

#### 4. USE OF IMAGES – NATIVITY PLAY SYNDROME

One council in the UK has addressed the issue and has put guidance on their website. They seem to say that up to 18 yrs old requires a parental consent for re-use of an image which is arguable but it's an excellent starting point for any organisation that needs a policy of use of personal images. We've contacted the author and public sector bodies can download and re-use the guidance at <http://www.hants.gov.uk/TC/cg/photosintro.html>. For more guidance on good practice for schools look at <http://safety.ngfl.gov.uk/schools/>

#### 5. PECK v UK – NEW PRIVACY LAW?

Those who have attended our course on data protection will have heard of this case. It concerns a man whose suicide attempt was captured by his Brentwood Council's CCTV cameras and released to newspapers and TV companies. The European Court of Human Rights in Strasbourg has ruled that Geoffrey Peck's right to respect for his private life was violated and that he had no remedy under the UK's existing privacy law. The court awarded him £7,800 in damages, and nearly £12,000 costs. The Strasbourg court said the council's action had been a "disproportionate and unjustified interference with his private life".

This case will also have implications for those who control CCTV on behalf of Local authorities. No longer can images be passed on without thinking about the Human rights aspect.

The decision of the European Court of Human Rights is available at:

[www.echr.coe.int/Eng/Press/2003/jan/Peckjudeng.htm](http://www.echr.coe.int/Eng/Press/2003/jan/Peckjudeng.htm)

#### 6. NAME & SHAME POSTERS BANNED

Police have been banned from featuring a convicted burglar and car thief in a controversial poster campaign to cut crime. Essex Police planned to put up posters in Brentwood showing the face of a man, who is serving a three-and-a-half-year sentence for theft offences. The posters, which would have been the first of a series, were designed to make youngsters think twice before committing crimes and to reassure victims that criminals were being dealt with. If the scheme was successful about eight other forces were interested in using similar posters.

But the offender's lawyers won a High Court injunction banning the name and shame posters. The convicted criminal had argued the posters were a breach of his human rights. Police said the order was temporary and it was considering its next move.

#### 7. ZETA JONES DISCUSSION FORUM

The link [http://news.bbc.co.uk/1/hi/talking\\_point/forum/2744599.stm#transcript](http://news.bbc.co.uk/1/hi/talking_point/forum/2744599.stm#transcript) takes you to the BBC website which discusses the implication of the Zeta Jones case on privacy of the individual. The case was recently heard before the court of Appeal and the decision is due out in the next couple of weeks.

#### 8. FEES FOR HEALTH RECORDS

The Campaign for Freedom of Information has challenged the Department of Health's refusal to reveal papers of a body advising ministers about the fees charged to patients asking to see their health records. It has also revealed that official guidance on access to health records breaks explicit commitments made by ministers to Parliament.

The Campaign applied under the open government code for minutes and papers of the Health Records and Data Protection Review Group, which includes representatives of professional and patient organisations. The Department claimed that none of the papers could be disclosed without harming the frankness of internal discussions. But the Campaign points out that members of the Group have been told that they are free to circulate papers to their own organisations.

The Campaign also documents the broken commitments on access to health records. The government said existing fees would not go up - but they were put up. Ministers promised that guidance on access to health records would advise NHS bodies to respond to requests within 21 days, instead of the Data Protection Act's 40 days. This promise has been broken. A ministerial commitment that the guidance would allow patients to add their own comments about any disputed information to their medical records has also been ignored.

The Campaign says the public interest now requires the Department to publish in full the minutes and papers of the group which is preparing to advise ministers on these issues. And it is calling on the Department to revise its guidance to comply with ministers' promises.

The correspondence can be read at <http://www.cfoi.org.uk/dohltr100103.html>

#### 9. USE OF NHS NUMBER

This and other information handling issues in the Health sector are discussed in a pdf you can see at <http://www.doh.gov.uk/scg/infsoc/nhsnumberguidance.pdf>

#### 10. LOCTA – LOCATING COUNCIL TAX ABSCONDERS

An interesting site that owes its existence to a very broad interpretation of Section 29 in that it is tracking down those who fail to pay their council tax. Look at <http://www.magnetsolutions.co.uk/locta.htm> and decide if you think it's lawful.

#### 11. YOT UPDATE

EXCHANGES BETWEEN THE OIC, THE CJS/YJB & L.B. NEWHAM RE YOT STATUS & PROPOSED NATIONAL YOT DATABASE

-----Original Message-----

From: Compliance Department [mailto:mail@ic-compliance.demon.co.uk]

Sent: 21 February 2003 14:58

Subject: Youth Offending Team - Notification

In response to your email of the 13th of February we would in the first instance like to explain the background of our discussion with Ian Hardy and secondly the rationale behind our recommendation with regard to the notification/registration by Youth Offending Teams. Ian met us principally to discuss Data Protection issues associated with some CJS Data sharing initiatives. As part of this discussion the role of Youth Offending Teams from a Data Protection notification perspective was discussed considering current practice and advice in the field and a concern that although some YOT's were included under the Local Authority notifications these notifications may not adequately cover the YOT processing.

In consequence we considered the following in terms of the Act -  
Data Protection Act 1998 Section 1 (1) "'data controller' means, subject to subsection (4), a person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be, processed;

Data Protection Act 1998 Section 1 (4) Where personal data are processed for purposes for which they are required by, or under any enactment to be processed, the person on whom the obligation to process the data is imposed by or under that enactment is for the purposes of this Act the data controller.

Interpretation Act 1978 "Person" includes a body of persons corporate or unincorporated

Our understanding was that the Youth Offending Team's have been established, under the provisions of the Crime and Disorder Act 1998, with responsibility for providing or co-ordinating local Youth Justice Services and that the teams are multi- disciplinary and multi-agency and include staff from a number of services (including Police, Health, Probation) and voluntary organisations and that the teams answer to a steering committee chaired by the Local Authority Chief Executive but not to the Local Authority per se.

Our conclusion, in light of the above, was that as the 'purpose' for processing appeared to be in the remit of the Youth Offending Team rather than the Local Authority then it was appropriate that the Youth Offending Team should be the data controller. The Local Authority may in many instances be acting as a data processor on behalf of the Youth Offending Teams and some instances there may well be data sharing between the Teams and the Authority.

Although we do issue and publish guidance and policies on matters of substance our efforts in this area normally focus on areas of wide public interest and whilst we are prepared to respond to issues, such as the identification of a data controller, it is unlikely we would make this the subject of a published guidance. The Commissioner would however have no objection to this guidance being published more widely through an appropriate channel with access to Youth Offending Teams if so desired.

#### COMMENTS FROM GATESHEAD

Found that very interesting given our experience of OIC advice re: YOT as outlined below - sorry for length but needs to be taken in context! The YJB sent a faxed message mid October 2001 to all Local Authority Chief Executives & YOT managers telling them that 24/10/01 was the last date for

notification, after which they would be breaking the law. I immediately spoke to OIC - first Notification then Compliance - asking for confirmation of my understanding that YOT were a partnership of Data Controllers each of whom should include YOT processing in their individual notifications. They confirmed that YJB guidance wrong because YOT are not legal entities so do not need to notify in their own right. Advised adding YOT as a purpose to existing register entry, which I did.

The OIC makes the templates available when more than 4 or 5 organisations appear to notify in a similar fashion - the existence of a template does not necessarily mean that OIC agree that an organisation is or is not a Data Controller.

The YJB letter dated 23/04/02 stated that OIC viewed YOT as legal entities which "need to notify in their own right as such - even if the Local Authority is carrying out the notification for you". Whatever that means! Also advised anyone seeking clarification to contact Jonathan Bamford. So e-mail to JB asking how this decision was reached, particularly as DPA1998 actually defines instances when data controllers are 'joint' or 'in common' and each party to YOT is already a data controller, how can the partnership also be a data controller in its own right? And why did OIC & BSI & LGA & Home Office etc. bother to issue advice on data sharing protocols for partnership working that refer to YOT amongst others?

Reply from Peter E Clarke, Compliance Manager dated 13/05/02 included: "I have spoken to Jonathan Bamford on the advice previously given on the subject. That advice was given on the premise that a YOT was a legal entity in its own right and as such required notification and a data controller. That position remains unaltered.

However should a YOT not be a legal entity, a status that must be decided by the organisation or local authority itself, then the data controller may well be the local authority. Depending on the contribution to or make-up of a particular YOT, there might be cases where more than one body is responsible, resulting in joint data controllers existing. Should an outside body be the data controller, then an amendment to notification would have to be addressed where necessary."

I'm not sure, therefore, why the YJB letter dated 14/01/03 requires YOT to notify. Especially when it continues: "The Information Commissioner supports the view that YOT should notify in their own right in so much as they conform to the definition of a 'person' as defined in the Interpretation Act 1978 and in so much as they are solely responsible for determining the purposes for which, and the manner in which, any personal data are, or are to be, processed."

From which it appears clear that the need to notify depends on the circumstances - just as we always thought!

Also Section 40 of Crime & Disorder Act 1998 suggests that the council decides whether the YOT acts independently as a separate legal entity or under the control of the council (and / or one or more of the partners). If YOT is a separate legal entity then it is likely to be a data controller in its own right, assuming that it has the power to decide its personal data processing functions & it undertakes data processing without the direction / approval of the council (and / or partners); All its workers are employed directly by the YOT and are not council (partner) employees.

On that basis YOT manager and I agreed that the council is the data controller here in Gateshead and we have not notified separately, though have ensured that the purposes are reflected in council notification.

## CONTRIBUTION FROM LONDON BOROUGH OF WALTHAM FOREST

This discussion has been going on for over two years. Durham took legal advice then, which agreed with Gateshead's current view. Incidentally, I tried accessing Gateshead's entry in the register and couldn't find one for Gateshead Council. Can anyone help?

By coincidence, I happened to be talking to the notification section at the Commissioner's office today. They had just been talking to Durham and seemed to agree with their stance. When I mentioned that Chris Turner of their office had given advice to the contrary to another Local Authority she was most upset, saying that the Notifications section gives advice on these matters. She had never heard of Chris Turner but said that she had not been consulted.

Meanwhile, the poor London Boroughs are playing piggy-in-the-middle.

Anyone out there less confused than they were two years ago?

### 12. SETBACK FOR DATA SHARING

The Lord Chancellors Department has admitted that its consultation into data sharing across the public sector has been a failure. Data sharing initiatives are important to the success of the Government's policy towards the electronic delivery of services. Only 60 responses were received, three of which were from members of the public and, in relation to Government Departments, only the Department of Education and Skills bothered to respond. Data Sharing & Privacy Report on Consultation can now be seen at [www.lcd.gov.uk/consult/piu/piuresp.htm](http://www.lcd.gov.uk/consult/piu/piuresp.htm)

Quite a poor response led to this feature from Kable.net. Dated: 26 March 2003

Data sharing proposals, crucial for e-government, are once again delayed following hardly any public response to Whitehall's official consultation. The UK Government's plans to allow sharing of personal data between Whitehall departments and public bodies have suffered a setback following "disappointing" levels of response to an official consultation on the subject made available on 25 March 2003.

Only 60 responses were received during the consultation which had aimed to gauge public reaction to proposals allowing Government departments to share personal information through "data sharing gateways". Most were from the public sector and private companies, with only three from members of the public.

Ministers had hoped to introduce draft legislation on data sharing this year but the low level of response means that Whitehall will have to consult again on the proposals, delaying the process for another year.

The Lord Chancellor's Department which is in charge of the Government's data sharing programme, said "the very small scale of response on what is such an important issue, which directly impacts on everyone in society, is disappointing".

It added that the "very low level of response from individuals ...has made it impossible to gauge informed public reaction to the proposals. In particular, it has not been possible to assess the extent to which those elements aimed at enhancing individual privacy will succeed in building the necessary levels of trust and confidence in public sector use of data."

When the proposals, which from the outset have suffered much delay, were first published a year

ago the idea was to open up "data sharing gateways" between Government departments easing the flow of information about individual citizens. They were also intended to clear up any legal ambiguities and pave the way for local authorities to share personal information more easily.

Titled privacy and data-sharing the way forward for public services, the proposals were given high profile backing from Prime Minister Tony Blair who initially put his own Whitehall think tank, the Performance and Innovation Unit, in charge of the consultation. One problem with the proposals, however, was that little attention was paid to what is actually permitted under current legislation.

In order to clear up what is understood as widespread ignorance over what is allowed, the Lord Chancellor's Department will, this summer, publish a guidance document for data sharing aimed particularly at local authorities. It is likely that the guidance will cover most areas of council activity which involve passing on and sharing personal data. In particular it will focus on areas like council tax, change of address services and social security.

### 3 April 2003 GOVERNMENT CONSULTS ON BUILDING CONFIDENCE IN PUBLIC SECTOR HANDLING OF DATA

The Government today launched a consultation paper on a new charter setting out the information people can expect and what safeguards should be in place for handling personal data in the public sector. To deliver improved services the public sector needs to ensure it is using personal information effectively. But the public are also entitled to proper reassurance that effective safeguards are in place to respect confidentiality and ensure that information is handled fairly and securely. The Government will run a series of public consultations to test peoples' attitudes towards a proposed public charter that will set out the safeguards and standards of service that individuals can expect from public services. It will also explore what information, assurances and safeguards the public want in circumstances where public sector organisations want to share personal information to improve public services. Yvette Cooper, Minister for Data Sharing, said "It is important that the public should have confidence in the public sector to use their information properly and fairly, and that legal safeguards will be enforced. "People want to see improvements in public services from using information effectively, but they also want to know that confidentiality is respected. This consultation will ask the public what kind of information and safeguards they want on the way the public sector uses information." The consultation paper will seek the views of individuals and organisations on: - How public bodies should request personal information from members of the public - What individuals can do when things go wrong - The documents the public sector will have to produce to ensure good practice in information handling and sharing 2003. 2. The consultation paper is available on the LCD website: [www.lcd.gov.uk/consult/confr.htm](http://www.lcd.gov.uk/consult/confr.htm)

### 13. AL-JAZEERA WEBSITE HIT BY HACKERS

The English-language and Arabic websites of Qatar-based broadcaster al-Jazeera were forced down this morning after a spate of suspected hacker attacks last night. Neither [aljazeera.net](http://aljazeera.net), which gets the most hits of any Arabic website in the world, nor [english.aljazeera.net](http://english.aljazeera.net), which launched on Monday, were available this morning after suspected attacks crashed both sites. Speaking from the broadcaster's headquarters in Doha, Qatar, communications manager Jihad Ali Ballout told [MediaGuardian.co.uk](http://MediaGuardian.co.uk) the company was doing everything possible to get the sites up and running. "Our people are doing our best but it could take some time," he said. Asked where the attacks originated, Ali Ballout said: "I wish I knew. There are rumours that the attacks originated in the US but at this moment in time we cannot verify that. But it is worrying and an indication perhaps [that]

in certain quarters there is a fear of freedom of expression and freedom of the press. "I am so concerned this is happening when there are clear lines that should be drawn."

While al-Jazeera's English website has no multimedia capability and so can't show video, its TV arm has come under attack in the US for showing footage of US prisoners of war and allied fatalities. The Arabic website showed video footage of US servicemen and women captured by the Iraqis on Sunday, prompting the site to be deluged with hits. However, it stood up at the weekend, even though according to Lycos al-Jazeera was the most searched-for name on the web. Both sites were available earlier this week.

The criticism followed reports that the US hosting service that runs the English-language site has buckled under pressure and agreed not to host the site from the end of this month. The US company DataPipe, a brand name of Hoboken Web Services, said it was ending its relationship with the company that operates the site. It is understood al-Jazeera is trying to move its hosting to Europe. The sites are most likely to have been hit by so-called "denial of service" attacks, when sites are deliberately taken out by unprecedented volumes of traffic. The al-Jazeera sites may also have been affected by so-called "typo squatters" who register similar domain names and either redirect traffic to a new site or rewrite news stories. UK sources close to al-Jazeera said that such a site - aljazeera.net - appeared yesterday just prior to the attacks.

#### 14. HOME OFFICE CONSULTATION ON INTERCEPTION OF COMMUNICATIONS

<http://www.homeoffice.gov.uk/ripa/part1/consult.pdf>

And the IC response

<http://www.informationcommissioner.gov.uk/ripacon.html>

#### 15. FRENCH LETTERS & THE FIGHT AGAINST SPAM

I've received my first French spam email. Not very interesting apart from the disclaimer on the end which said Vous disposez d'un droit d'accès, de modification, de rectification et de suppression des données qui vous concernent (article 34 de la loi "Informatique et Libertés" du 6 janvier 1978).

Two stories which help you fight back are to be found at

<http://www.the-scream.co.uk/forums/t7579.html>

<http://www.theregister.co.uk/content/67/29809.html>

#### 16. MANUAL RECORDS AND THE DATA PROTECTION ACT

We have all been through the mental gymnastics which is required to determine when a paper record is part of a "relevant filing system" and so subject to the DPA. We know that the records have to be structured but what does this actually mean?

A case is set for the UK's Court of Appeal before the summer that will hopefully answer this question. The Appeal will also clarify the circumstances when a Judge is entitled to use discretion not to order the disclosure of personal data to the individual concerned when the right of access to personal data is exercised, and there is no applicable exemption which the organisation holding the personal file has applied, yet the organisation refuses to provide access.

The background to the case concerns a Mr M. J. Durant who wanted access to personal information held by the Financial Services Authority (FSA) in relation to an investigation which involved Barclays Bank and in which Mr. Durant claimed to be a victim of fraud. Mr. Durant wanted to access the FSA files to see whether they contain information concerning the alleged fraud. The FSA argued that the information, although personal, was not subject to the right of access.

The Judge at the lower Court agreed, and refused Mr Durant access on the grounds that the files, although containing personal details about Mr Durant, were not personal data caught by the Act. For example, the Judge said that: "It is not a question of whether the (personal) information could be obtained or even whether the information could be obtained easily. The question that I must pose is whether it (the file) is structured in such a way that specific information relating to a particular individual is readily accessible".

Additionally, the Judge claimed that even if the personal information were personal data, he had discretion not to order disclosure to Mr. Durant. He said that if this were the case: "I would still not have exercised my discretion in favour of making an order for compliance, because ... I cannot see that the information could be of any practical value to the appellant and that ....the purpose of the legislation it seems to me is to ensure that records of an inaccurate nature are not kept about an individual".

Whilst this case is very interesting its importance should not be overstated. Like the FSA, all local authorities are a public authority as defined by the Freedom of Information Act 2001. As such, they will have to grant access to unstructured personal information in manual files in January 2005.

#### 17. NEW FREEDOM OF INFORMATION COMMISSIONER

Emily O'Reilly, a political columnist for the Sunday Times, is expected to become Ireland's next Ombudsman and Freedom of Information Commissioner, following backing yesterday from the Irish Government. The current Ombudsman and Freedom of Information Commissioner, Kevin Murphy, announced his intention to retire from both offices with effect from 1st June 2003. Is this something to do with the Irish government's intention to restrict access in the future to Government information?

#### 18. E PRIVACY CONSULTATION

The draft Privacy and Electronic Communications (EC Directive) Regulations of 2003 seek to implement the EU's Directive on Privacy and Electronic Communications before that Directive's deadline of 31st October 2003. They also revoke Telecommunications Regulations of 1999. The Regulations will create new laws against e-mail and text message spam and impose requirements on the use of cookies. These will effect every website in the UK including those of the public sector and will:

- Require businesses to gain prior consent before sending unsolicited advertising e-mail. This consent must be explicitly given on an 'opt-in' basis by all, except where there is an existing customer relationship;
- Require that the use of cookies or other tracking devices is clearly indicated and that people are given the opportunity to reject them;
- Allow mobile operators and their partners to provide customers with value added services, such as traffic and weather updates, where consent has been given; and
- Ensure stronger rights for individuals to decide if they wish to be listed in subscriber directories. Clear information about the directory must also be given, e.g. whether further contact details can be obtained from just a telephone number or a name and address.

With regard to cookies, a site user must be provided with clear and comprehensive information about the purposes of the storage of, or access to, such information; and given the opportunity to refuse the storage of or access to such information.

The rules do not require that this information is given before the cookie is sent to the user's computer, which means that the rules will not drastically affect the operation of web sites – a link to a page describing use of cookies should suffice.

Now is the time for all organisations to review their website privacy policies and ensure that tier practices comply with the new law.

The draft Regulations and other related papers are available on the DTI's site. Click on [http://www.dti.gov.uk/cii/regulatory/telecomms/telecommsregulations/comms\\_dpd.shtml](http://www.dti.gov.uk/cii/regulatory/telecomms/telecommsregulations/comms_dpd.shtml)  
The deadline for comments is 19th June.

## 19. PERSONAL EMAIL SURVEY

Two separate surveys by Yahoo! UK and Waterford Technologies have revealed at least 35% of all corporate e-mail is personal. In one public sector body with 1,000 e-mail users, the figure was a staggering 70%. And Most UK office workers believe their IT department regularly intercepts and reads their personal e-mail. However that still does not stop people sending personal e mail! Many organisations now carry out surveillance and monitoring of all e mail traffic. But is this lawful? This was discussed recently at our seminar in London on 2<sup>nd</sup> April entitled "Surveillance Law and Practice" Click here for a review.

## DATAEDGE

Are you still struggling with your policies and procedures to comply with the Act? Help is available in the form of the DataEdge compliance tool kit. It has been produced by Hammonds a firm of solicitors with offices throughout the country ([website](#)). The kits are ideal for any organisation which wants a ready resource upon which to base a data protection compliance programme. Each kit contains very useful material such as a data protection policy, data processor agreement, security checklists and employment contract clauses. They are available for sale at the reduced rate for local authorities of £500 (no vat). The normal price is £750. Anyone interested should contact Hammonds on 0121 2002001 or email [Caroline Egan](#)

## 20. RETENTION OF RECORDS SCHEDULE



The records Management Society of Great Britain has published the latest version of its retention of records schedule. An excellent starting point for any local council thinking about Records Management. Click on <http://www.rms-gb.org.uk/> and download it. See also an introductory course run by Act Now in Manchester on 16<sup>th</sup> April. A few places left at [www.actnowtraining.co.uk](http://www.actnowtraining.co.uk)

## 21. THE EEA JOKE HAS RUN ITS COURSE

No longer will we be able to joke that Norway, Liechtenstein and Iceland are part of the EEA and guess what the capital of Liechtenstein is as our gallant football team played there last week and now everybody knows. Sadly the other old joke about which parliaments have yet to react to the EU

directive cannot be used either. The Isle of Man, Guernsey & Jersey have all enacted legislation in the latter part of 2002 to do just that. If you want to see more try these 3 sites.

<http://www.dataprotection.gov.je/>

<http://www.dataprotection.gov.gg>

<http://www.gov.im/odpr/>

## ACT NOW - DATA PROTECTION TRAINING FOR THE PUBLIC SECTOR

The Seventh Data Protection Principle requires all data controllers to have adequate measures in place to ensure the reliability of employees who have access to personal data. This means training is absolutely essential for such staff. So far most of delegates at our seminars who completed a feedback sheet have rated them good or excellent. Consequently we have received many requests to present the course in house. We have now improved it to incorporate FOI, HRA and RIP. If you would like us to deliver training please contact us. Organisations in an area may wish to club together so that they can share the costs and resources. The courses can be tailored for specific audiences. Our availability is limited therefore the sooner you contact us the better. Contact us or look at the website for details.

Disclaimer - The contents of this web based newsletter are meant for you to consider on the basis of general discussion and not as advice or expert opinion (legal or otherwise). The views expressed do not reflect those of our respective employers. You should obtain professional legal advice on any specific issues. Any liability (in negligence or otherwise) arising from you acting, or refraining from acting, on any information contained in this newsletter is excluded.

Warning - It is your responsibility to ensure that the onward transmission, opening or use of this message and any attachments will not adversely affect your or the forwardees systems or data. Please carry out such virus and other checks as you consider appropriate. No responsibility is accepted by us in this regard.

Copyright - Copyright in this newsletter-mail belongs to us and we request that anyone who wishes to subscribe or unsubscribe does so via our website form. Your information will be used only for the purposes of this newsletter and in accordance with the Data Protection Act 1998. Public Sector organisations can re-use material within their own organizations if you acknowledge our contribution by linking to our website. Next newsletter July 2003.