



Welcome to the 20<sup>th</sup> issue of our quarterly Newsletter.

Next issue January 2006

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### **In this issue**

#### **Freedom of Information**

1. Reviews of Autumn Conferences
2. Spring Conference in Edinburgh
3. Recent FOI Guidance from the OIC
4. Standard forms from the DCA
5. Access to Employee data under FOI
6. Access to Third party data
7. National Archives Guidance
8. Current Consultations
9. FOI and Commercial Confidentiality
10. Information Rights qualification
11. FOI Stats on Governments response
12. e-Trust Charter
13. DCA publishes Information Rights Journal
14. FOI and Schools
15. Revised FOI Flowchart
16. Revised Code of Practice from Archivists
17. Actuary's Department guidance on FOI
18. The Next Big Thing
19. Ten Tips to be FOI compliant

#### **Freedom of Information in Scotland**

21. The (Consequential Modifications) Order
22. Decisions by the Scottish Commissioner
23. FOISA Decision Maker Workshop
24. FOISA headlines in Scotland

#### **Data Protection**

25. Council Tax & Data Sharing
26. Your Credit Reference
27. See Red
28. No Tags please we're British!
29. Buying Video recorders feedback
30. Commissioner's Ten Top Tips for students regarding Data Protection
31. DPA and the NHS Resources
32. DPA and Marketing
33. New Commissioner senior staff
34. Solicitors in breach of Data Protection Act
35. Email story (from a bulletin board)
36. Big Brother Awards
37. Privacy or a family's right to know
38. Ring tone issues
39. Irish DP Commissioner takes action
40. New guidance on rights to exam info

#### **RIPA & Surveillance**

42. Privacy in the work place

#### **In House Training**

42. Our client list keeps growing

Thank you for your continued support.

*Paul & Ibrahim*

## Act Now Bulletin Board launched

After years of subscribing to others Act Now has launched its own bulletin board (or discussion forum). It's free; It doesn't send every email to every list member so you won't be inundated with people rabbiting on about their pet subjects; you can pop in now and again when you have a query you want another opinion on. It doesn't allow adverts for commercial ventures [*except our own, naturally...*] It does have the first (we think) forum on RIPA, RIPSA & SPOC issues which are becoming rather high profile and it also has a forum for Data Protection and another for the 3 interlinked subjects of FOI, RM and Re-Use.

Click on [www.actnowtraining.co.uk](http://www.actnowtraining.co.uk) to have a look and join in.

## FREEDOM OF INFORMATION

### 1. FOI Conferences Reviewed

Held on 28<sup>th</sup> September 2005 in London, this year's conferences examined the impact of the Freedom of Information Act 2000 on different parts of the public sector and looked ahead to the future.

Key speakers included Gerrard Tracey, (Assistant Information Commissioner), Maurice Frankel, (Campaign for Freedom of Information) Rob Evans (The Guardian), Robert Murphy, (Department for Constitutional Affairs) plus experts from the health, legal and local government sectors.

Click [http://www.actnow.org.uk/Autumn 2005/consum.pdf](http://www.actnow.org.uk/Autumn%202005/consum.pdf) to read a full summary

On 5<sup>th</sup> October 2005 at the Wellington Park Hotel, Belfast we also ran a similar conference where the keynote speakers were Emily O' Reilly (the Irish Information Commissioner) and Marie Anderson (Northern Ireland Assistant Information Commissioner). There were also speakers from the various sectors including local government, the press and the civil service.

Colm Murphy, a journalist with the Sunday Times, who was a speaker at our Belfast FOI conference has kindly provided an article for us on FOI from the journalist's point of view. See our website or click [here](#)

### 2. Advance notice of our Spring Conference in Edinburgh

February 7<sup>th</sup> 2006 is the date for our second FOISA conference. Keynote speakers are Kevin Dunion, Scottish Information Commissioner; David Goldberg Scottish Campaign for Freedom of Information, Irish Information Commissioner and also speakers from Local Government, Scottish Executive and other Scottish public bodies.

Click [here](#) for the full course programme and booking form.

### **3. Recent FOI Guidance from the OIC on Exams**

#### Individuals Rights of Access to Examination Records

This guidance explains the right to access examination records under the Data Protection Act 1998. The Freedom of Information Act 2000 (FOI Act) also gives individuals the right to access other (non-personal) information held by public authorities.

### **4. Standard forms for responding to a FOI request from the DCA**

[http://www.dca.gov.uk/foi/FOI\\_standardparas.pdf](http://www.dca.gov.uk/foi/FOI_standardparas.pdf)

### **5. Access to Employee data under FOI**

#### Freedom of Information: Access to Information about Public Authorities' Employees

This document gives public authorities practical advice about dealing with requests made under the Freedom of Information Act 2000 for access to information about their employees. It should be read in conjunction with our Awareness Guidance on Personal Information

### **6. Access to Third party data**

#### Providing Personal Account Information to a Third Party

The Good Practice note is aimed at helping people to decide whether or not to give information to third parties calling on behalf on an account holder. See our DP courses in story 32.

### **7. National Archives Guidance**

The National Archives has issued two new pieces of guidance relating to FOI and aimed at archivists:

The first provides guidance on the form of words to be used for a class in your authority's Publication Scheme for your archival holdings. The form of words, which has been agreed with the Information Commissioner's Office, will enable you to charge for research undertaken in response to an enquiry falling under the FOI Act. The guidance includes details of how to opt-in to the form of words without re-submitting the whole Publication Scheme for approval. The guidance is on our website and can be read here:

[http://www.nationalarchives.gov.uk/policy/foi/pdf/guidance\\_paid\\_research.pdf](http://www.nationalarchives.gov.uk/policy/foi/pdf/guidance_paid_research.pdf)

The second provides guidance on assessing whether deposited collections of private origin are subject to the FOI Act. This guidance sets out the Government's view of the issue. The guidance is on our website and can be read here:

<[http://www.nationalarchives.gov.uk/policy/foi/pdf/guidance\\_private\\_archives.pdf](http://www.nationalarchives.gov.uk/policy/foi/pdf/guidance_private_archives.pdf)>

For an overview of other guidance relevant to FOI, see this web page:

<http://www.nationalarchives.gov.uk/policy/foi/>

### **8. Consultations on Electoral Register and Sharing Children's data**

A consultation has just closed on the use of the electoral register.

<http://www.dca.gov.uk/consult/electoral/electoral.htm>

Another consultation covering the sharing of data about children and young people. Closing date 15th November,

<http://www.dfes.gov.uk/consultations/conDocument.cfm?consultationId=1366>

## **9. FOI and Commercial Confidentiality**

FOI continues to be used to get access to information about projects and contracts and commercial information:

According to The Register Bedfordshire County Council has paid business service provider HBS £7.7m to terminate its £250m, 12-year outsourcing contract prematurely. Details of the settlement reached last month had been confidential, but were disclosed by the Council under the Freedom of Information Act.

ICBerkshire £13,600 worth of snacks and hot drinks in the past year have been consumed by a council at meetings and briefings.

However there is some evidence that the increased access to information may have some benefits. According to the Contract Journal, contractors are using the Freedom of Information (FOI) Act to sharpen up bidding techniques and gain information on failed bids, using third parties to protect their identities.

At our Belfast conference, Marie Anderson, the Assistant Information Commissioner (Northern Ireland) said that section 40 (commercial interests) is the most popular exemption claimed by public authorities.

Remember that the mere fact that a contract with a private sector company includes a confidentiality clause does not mean that everything in the contract is confidential and cannot be disclosed under FOI. An example of the court permitting disclosure of information in breach of an express confidentiality undertaking arose in *London Regional Transport v Mayor of London* [2003] EMLR 4. The Court of Appeal held that public interest in the political debate surrounding PPP plans for the London Underground justified disclosure of a report, even if such disclosure was in breach of confidentiality undertakings. The case demonstrates that contractual confidentiality obligations can be overridden where the public interest in important political debate requires it.

We have an article on our website about the disclosure of commercial information and the applicable exemptions. We are also re running our very popular workshop in Manchester, York and London. We have extended it from half day to a full day course with many more exercises and case studies. See our website for details.

## **10. Information Rights qualification**

A new Information Rights qualification will be available from autumn 2006. This is being set up through a contract awarded to a university by the Department for Constitutional Affairs. It will cover data protection, FOI and the EIR plus other information handling legislation, hence its title. The DCA has been not very open about how this was offered to tender and I thank Rosemary Jay who extracted information about it and shared it with colleagues in the sector. There's much work to be done yet to validate and set up the degree programme but with distance learning an option it looks as if the sector will have its own degree available soon. Northumbria University will eventually tell us they've won the contract.

Meanwhile ISEB, the examinations arm of the British Computer Society are still offering their certificates in DP & FOI.

## **11. FOI Stats on central Governments response to the Act**

Look at <http://www.foi.gov.uk/statsapr-jun05.htm>

Comments from the press

Government's secrecy culture blocks freedom of information

<http://www.timesonline.co.uk/article/0,,2-1804622,00.html>

How requests are stalled

<http://www.timesonline.co.uk/article/0,,2-1804613,00.html>

## **12. e-Trust Charter for electronic service delivery**

A guidance note is available from <http://www.govtalk.gov.uk/documents/eTrustguidegovtalk.rtf>

## **13. DCA publishes Information Rights Journal**

<http://www.foi.gov.uk/irj.htm>

## **14. FOI and Schools**

Freedom of Information continues to have a big impact on schools. However there is evidence that schools are not fully aware of the implications of the DPA and FOI on there activities:

The family of a boy who broke his front teeth in a playground accident were told: "If you want to know what happened, use the Freedom of Information Act."

See [Liverpool Echo](#)

Remember schools are separate public authorities for FOI purposes and requests cannot simply be passed on to the LEA. It is important that all school staff and governors are aware of the Act and how to deal with requests. Act Now is repeating its very successful half day DP/FOI seminars for schools in York, Blackburn and Sheffield. Click [here](#) for full details. If you would like to make a block booking or you want the event to be held in your area let us know

## **15. Revised FOI Flowchart**

How do you deal with an FOI request? What is the thought process? Were do the exemptions and fees fit in? For the answer see our revsied FOI flowchart on our website under Resources>Articles

## **16. Revised Code of Practice from Society of Archivists**

<http://www.archives.org.uk/about/revisedcodeofpractice.html>

## **17. Governments Actuary's Department guidance on FOI**

<http://www.gad.gov.uk/Publications/FOI.htm>

## 18. The Next Big Thing

The Re use of Public Sector Information Regulations. These came into force on 1<sup>st</sup> July 2005 and apply throughout the UK. They require public authorities to produce an Asset list of all information they hold which could be useful to the private sector. They then have to consider any requests to re use such information and decide how much to charge.

There is a full article on our website. We think this is the next big thing. We are doing workshops throughout the UK. The Manchester and London events have been expanded to a full day to cover copyright as well. An understanding of this topic is essential for complying with the Re Use Regulations.

## 19. Ten Commissioner Tips to be FOI compliant

1. Be positive. Greater transparency is good for the public and democracy.
2. Be active. Use Publication Schemes pro-actively. Pro-active publication saves time, effort, resources and money.
3. Anticipate requests – don't wait to be asked.
4. Why not? The Act presumes disclosure. Public authorities should meet people's requests unless there is a good reason within the Act not to. Organisations do not have to withhold information if an exemption applies.
5. Get talking. A dialogue between the requester and the public authority can help you resolve requests more quickly.
6. Don't fear precedent. All decisions should be made on their own merits and on a case by case basis at the time of the request.
7. Give clear reasons. If you are turning down a request, write a clear Refusal Notice. Properly drafted and fully explained refusals can help avoid reviews and complaints.
8. Give more if it helps. Supply additional information where it is useful, such as an explanation of the data you are supplying.
9. Meet it or beat it. You must meet the 20 day deadline – beat it if possible.
10. Help yourself. Look at the ICO's guidance on [www.ico.gov.uk](http://www.ico.gov.uk) for more information on freedom of information, as well as information on data protection, or you can ring our Helpline

## 20. Ten Tips for the Commissioner

This is open for our subscribers... ...we'll report back next issue

### FREEDOM OF INFORMATION IN SCOTLAND

**Don't forget the FOISA Conference on 7<sup>th</sup> February – See story 2 for details**

## 21. The Freedom of Information (Scotland) Act 2002 (Consequential Modifications) Order

<http://www.opsi.gov.uk/si/si2004/20043089.htm> tidies up a few issues. The right to unstructured personal data conferred by the FOIA 2000 also applies in Scotland. This was confirmed in a letter from the SIC. "...following your phone call this week I've checked the advice I gave with Margaret Keyse, and she has confirmed that an applicant seeking personal data held in an unstructured file by a public authority should apply under the Data Protection Act 1998. She pointed out though that the difficulty for public authorities is that the UK FOIA fees regulation covers these subject access requests"

Also the copyright problem in Scotland has now been dealt with. The supply of a photocopy in response to a request under the Scottish FOI Act does *not* infringe copyright.

## **22. Decisions by the Scottish Information Commissioner**

The decision by the Scottish Information Commissioner in the case of Mr Collie and the Common Services Agency, which deals with a request for information about incidences of childhood leukemia in Dumfries and Galloway will soon be appealed. One of the main issues in dealing with cases which involve use of the S38 Personal Information exemption is that the Scottish Information Commissioner has to take into account information which is already available or which might become available and which might lead to the identification of an individual.

A second recent decision, Mr Burchell and East Lothian Council, relates to a request for a copy of a harbour waiting list. In coming to a decision it was decided that information such as names and addresses should be redacted.

All the Commissioners latest decisions can be found at

<http://www.itspublicknowledge.info/appealsdecisions/decisions/index.htm>

## **23. FOISA Decision Maker Workshop**

We are repeating this ever popular workshop due to popular demand. This course is suitable for all those who are in charge of FOISA compliance and advice within an organisation. It is packed full of exercises and real life case studies designed to teach delegates the key factors to be considered when making FOISA decisions. Caselaw from other jurisdictions as well as the latest guidance from the Scottish Information Commissioner will be discussed. This, together with the delegates' own collective experience of FOISA implementation, is guaranteed to make an enjoyable and worthwhile learning event.

Details: 9<sup>th</sup> November Edinburgh

Cost: £199 plus vat

Speaker: Ibrahim Hasan

## **24. FOISA continues to make the headlines in Scotland**

Scotsman - Bail crimes triple in 5 years

"The number of offences committed by people awaiting trial has tripled in five years, according to figures revealed to MSPs yesterday. Bail breaches in the Strathclyde and Lothian and Borders police areas, Scotland's biggest forces, rose from 1,107 in 1999 to 3,604 in 2004, according to figures obtained by the SNP under freedom of information laws."

Scotsman

"Figures released by the Executive under the Freedom of Information Act showed the hospitality bill for HOLYROOD for 1999-2000 was £340,000."

## DATA PROTECTION

### 25. Council Tax & Data Sharing

"People who deliberately avoid paying council tax by moving between local authorities are to be targeted by a government initiative which, if successful, could net councils £100m nationally and reduce soaring council tax bills."

'The idea with this is we have a national database which we can post details on to when someone owing council tax moves out of their area. Assuming they don't change their name, they can then be traced when they move into a new area.'

<http://observer.guardian.co.uk/cash/story/0,6903,1539380,00.html>

Although with apparently £600m each year going uncollected, £100m even if achieved, isn't exactly a staggeringly effective; and few of the people quoted in the article were prepared to stick their necks out very far as to whether the scheme would run at a net "profit" or not. For an article on council tax data sharing see our website.

### 26. Your Credit Reference.

Information Commissioner is the regulator for Consumer Credit Act 1974 (as amended) and many individuals are interested in these issues. As an Information Rights expert you should have some material to hand for those times when someone asks. There's a useful article on the web at <http://www.moneysavingexpert.com/print.phtml?page=1101485056,23650>, and the rest of the site is of interest too.

### 27. See Red

A website that has many rambling stories mostly to do with the poor performance of local councils but with a few interesting items on privacy.

[http://www.seered.co.uk/top\\_of\\_privacy.htm](http://www.seered.co.uk/top_of_privacy.htm)

### 28. No Tags please we're British!

Another campaigning site which highlights RFID tags and the associated privacy issues. Click on <http://www.notags.co.uk/>

### 29. Buying Video recorders feedback (from last issue)

Tim Turner: The answer to why Tesco want people's details when they buy a video recorder is the Wireless Telegraphy Act 1967, which requires retailers to pass on to TV licensing people details of people who buy TVs, videos etc. Woolworths were fined £14,000 in 2003 for not doing so.

See: <http://www.tvlicensing.co.uk/information/tvdealers.jsp>

Rebecca Wong: I came across your article from your recent newsletter and had a similar case where I bought a tumble dryer from Argos and was asked for my personal details (name and address). Whilst I naturally complied, I did have a similar line of thought about the use of such

data. However, and this is my hypothesis, the reason could be something to do with the 1 year guarantee period or this return/exchange policy within 28 day period. I didn't buy the after sales insurance immediately, so when I brought the receipts a month later, the staff were able to bring up my personal details quite clearly.

Whilst, not trying to justify the company's policy for holding my personal details, I can see the logic for doing so, if it was intended to ensure after sales care or if I lose my receipt... I would be interested to know if you find anything else about this.

### **30. Commissioner's Ten Top Tips for students regarding Data Protection**

1. Treat your personal data as 'confidential' – don't give it away easily
2. Always be wary of those asking for your personal information. Are they genuine? How will they use it? Will it be passed on to others?
3. Sign up with the Telephone Preference Service to prevent unsolicited direct marketing calls
4. Know where your personal documents are (passports, driving licence, birth certificate etc.) and keep them safe
5. If you receive letters, faxes, emails or telephone calls asking for your information, avoid replying unless you know they are genuine
6. Always read the small print carefully. You must give permission for your details to be passed on to other organisations or used for marketing purposes, and equally, you can refuse
7. Never disclose or write down personal passwords or PIN numbers
8. Safeguard your personal documents, (such as bank statements, utility bills, debit or credit card transaction receipts etc.), so that nothing can be obtained by fraudsters showing your name, address or other details
9. Always check your bank / credit card statements for payments you don't recognise
10. Just say no – you have the legal right to ask a particular company to stop contacting you and they have an obligation to mark your telephone number as one they can not call

### **31. DPA and the NHS Resources**

Thanks to Nick Landau for posting this on a bulletin board.

A selection of documents and references which relate to the Health Service and records.

"Data Protection Act" (DH, 2000)

[www.dh.gov.uk/PolicyAndGuidance/OrganisationPolicy/RecordsManagement/DataProtectionAct1998Article/fs/en?CONTENT\\_ID=4000489&chk=VrXoGe](http://www.dh.gov.uk/PolicyAndGuidance/OrganisationPolicy/RecordsManagement/DataProtectionAct1998Article/fs/en?CONTENT_ID=4000489&chk=VrXoGe)

"Medical Records"

<http://omni.ac.uk/browse/mesh/D008499.html> which seems to be an amazing resource.

"Frequently asked questions about accessing health records - Patient confidentiality and Caldicott Guardians FAQ"

[www.dh.gov.uk/PolicyAndGuidance/InformationPolicy/PatientConfidentialityAndCaldicottGuardians/AccessHealthRecordsFAQ/fs/en?CONTENT\\_ID=4039714&chk=iOJNGp#5145299](http://www.dh.gov.uk/PolicyAndGuidance/InformationPolicy/PatientConfidentialityAndCaldicottGuardians/AccessHealthRecordsFAQ/fs/en?CONTENT_ID=4039714&chk=iOJNGp#5145299)

RIGHT OF ACCESS TO PERSONAL DATA: HEALTH RECORDS from Hansard (Freedom of Information Bill Debate in House of Lords 2000?)

<http://www.dh.gov.uk/assetRoot/04/03/52/68/04035268.pdf>

"DEPARTMENT OF HEALTH The Caldicott Committee Report on the Review of Patient-Identifiable Information December 1997"

<http://www.dh.gov.uk/assetRoot/04/06/84/04/04068404.pdf>

## 32. DPA and Marketing

DMA Email Marketing Council Best Practice Guidelines can be found at <http://www.dma.org.uk/DocFrame/DocView.asp?id=230&sec=-1> for circulation to any of your staff who want to mass email or want to buy in mail lists etc.

Data Protection: Marketing and Promotion Workshop, London – 30<sup>th</sup> November, £199 plus VAT

The Privacy and Electronic Communications (EC Directive) Regulations 2003 have been in force for more than a year, but many organisations are unaware of their very wide scope. Together with the Data Protection Act 1998, they are the framework for the promotion and marketing of products, services and ideas in the UK. Data Protection and Privacy rules affect a wide variety of activities including commercial ventures, fundraising, consultation and the launch of new public/private sector services. This course is designed to ensure that efforts to promote and inform the public about your organisation or services (whether by e mail, post, phone, fax or text message) do not fall foul of the law. This course is suitable for the both the public and the private sector.

### More DP Courses

Are your staff confident when dealing with personal data? Do they know when and where they can share information and for what purposes? We are again going to run our ever popular Data Protection: An A-Z Guide course in Autumn.

We have also added a new course on Data Sharing which will look at the relevant laws on data sharing including DPA, Human Rights, the law of confidence etc.

Data Protection and Employee Data\_: How to deal with employee data in the light of the DPA and the new consolidated code of practice.

Disclosure of Personal Data Workshop Following the Freedom of Information Act 2000 (FOI) going live, many public sector organisations have seen an increase in requests for access to personal data about staff, service users and officials. These require examination of the FOI exemptions as well as analysis of other areas of law such as Human Rights (privacy) and the Data Protection Act 1998 (DPA). This highly practical (half day) workshop is designed to examine the key considerations around giving access to personal data. The workshop style of the course means that delegates will get a chance to explore the issues thoroughly using plenty of case studies and group discussions

## 33. Information Commissioner announces new senior staff

A new Deputy Commissioner with lead responsibility for data protection issues has been appointed at the 250-strong Information Commissioner's Office. David Smith, 53, living in Bramhall, Cheshire, joined the Information Commissioner's Office (ICO) as an Assistant Commissioner in 1990, when it was the office of the Data Protection Registrar.

He has held a wide range of posts since then, culminating in his present position as Assistant Commissioner heading the new Regulatory Action Division. He will take over his new position when the present Deputy Commissioner, Francis Aldhouse, retires at the end of the year

### New DP Commissioner for Scotland

<http://www.informationcommissioner.gov.uk/cms/DocumentUploads/New%20Assistant%20Commissioner%20for%20Scotland.pdf>

### **34. One third of solicitors likely to be in breach of Data Protection Act**

A crackdown has been launched on those solicitors who consistently fail to fulfil their obligations under the Data Protection Act, which could see them face stiff fines. Some 3,000 firms of solicitors, around a third of the total number, have failed to notify as data controllers (those in charge of data), with the Information Commissioner's Office (ICO). Under the terms of the Data Protection Act organisations that enter details about identifiable individuals onto a computer must notify the Information Commissioner's Office, and if they fail to do so, they could be prosecuted.

The Information Commissioner's Office has begun to contact the remaining 3,000 firms to remind them of their obligations under the Act and to urge them to notify, if necessary. Some of the firms were written to earlier in the year, but many have still failed to notify.

In March of this year, the Information Commissioner's Office successfully prosecuted solicitor Ralph Harold Donner after his firm, Feld Mackay and Donner, failed to notify. Following a guilty plea at Bolton Magistrates Court, he was fined £3,150 and ordered to pay £3,500 towards prosecution costs, though the fine was later lowered on appeal.

### **35. Email story (collected from a bulletin board)**

A Minneapolis couple decided to go to Florida to thaw out during a particularly icy winter. They planned to stay at the same hotel where they spent their honeymoon 20 years earlier. Because of their hectic schedules, the husband left Minnesota and flew to Florida on Thursday, with his wife flying down the following day. The husband checked into the hotel. There was computer in his room, so he decided to send an email to his wife. However, he accidentally left out one letter in her email address, and without realising his error, sent the email. Meanwhile, somewhere in Houston, a widow had just returned home from her husband's funeral. He was a minister who had a heart attack and died. The widow decided to check her email, expecting messages from relatives and friends. After reading the first message, she screamed and fainted. The widow's son rushed into the room and saw the computer screen which read:

To: My Loving Wife  
Subject: I've Arrived  
Date: October 16, 2004

I know you're surprised to hear from me. They have computers here now and you are allowed to send emails to your loved ones. I've just arrived and have been checked in. I see that everything has been prepared for your arrival tomorrow. Looking forward to seeing you then! Hope your journey is as uneventful as mine was.

P.S. Sure is freaking hot down here!

### **36. Big Brother Awards**

This years's awards have been delayed. Conspiracy Theorists are ecstatic

[http://www.privacyinternational.org/article.shtml?cmd\[347\]=x-347-238148](http://www.privacyinternational.org/article.shtml?cmd[347]=x-347-238148)

### **37. An infringement of privacy or a right of a family...**

There are over 374,270 Registered Sex Offenders in the US. To Immediately Find out how many Sexual Predators live in your Neighborhood for free Click Here:

<http://afes4pbjo8tnr-h-acddjtlwvp5tm.encrimsoning2.biz>

Unfortunately free doesn't mean free but...

### **38. Ring tone issues – Kick out the jamsters**

<http://www.timesonline.co.uk/article/0,,2-1791879,00.html>

[http://www.theregister.com/2005/09/19/jamster\\_controls/](http://www.theregister.com/2005/09/19/jamster_controls/)

### **39. Irish Data Protection Commissioner takes action**

<http://www.dataprivacy.ie/viewdoc.asp?DocID=284>

### **40. New guidance from ICO clarifies students' rights to exam information**

New guidance issued by the Information Commissioner's Office (ICO) explains what exam information students are entitled to under the Data Protection Act. Students are entitled to information about their exam performance, including examiners' comments. Universities and colleges should deal with information requests from students within 40 days although this period can be extended where the results have yet to be published.

Assistant Commissioner, Jonathan Bamford, "The new guidance aims to help colleges and universities respond properly to requests for information from students and thus ensure that students get what they are entitled to." Students can also use the new Freedom of Information Act to find out more about their school's policies and procedures in respect of the award of marks and appeals. The guidance highlights that universities and colleges cannot refuse to respond to a request under the Data Protection Act from students who have not paid examination or course fees.

#### Other recent guidance from ICO

##### Taking Photographs in Schools

The Good Practice note is aimed at Local Education Authorities and those working within Schools, Colleges and Universities

##### Telephone Marketing by Political Parties

The Good Practice note is aimed at the public and political parties

## **RIPA & SURVEILLANCE and OTHER ITEMS**

### **41. Privacy in the work place**

The GMB has produced a discussion paper on the issues relating to privacy and surveillance of employees in the workplace. Click <http://www.actnow.org.uk/Autumn 2005/surv.pdf>

#### Access to Communications Data – SpoC Course

Britain's Home Secretary Charles Clarke recently told MEPs of his proposal to store data from phone calls, text messages and emails for a maximum of three years was put forward by the

UK, Ireland, France and Sweden. The stored information would only include details on the date, time and location of the communication but not on the content of the conversation.

If more information is stored and for longer this will have an impact on local authorities and all those who can access communications data under RIPA

Most of you are now aware that RIPA now gives local authorities and other public sector organisations (e.g. fire and ambulance services) access to communications data. All organisations using these new powers must have a named Single Point of Contact (SPoC) who should have attended a Home Office approved training course and passed an exam by 31<sup>st</sup> March 2005.

We have run Spoc accreditation courses in London, Manchester and Perth over the last year. This has been attended by over eighty delegates from local authorities, fire, ambulance and trading standards services. All have passed the exam and received their PIN numbers from the Home Office. If you still have to receive accreditation we are taking bookings for our December course. See our website for details.

## 42. In House Training

Act Now trainers also deliver in-house training at your site. In the last three months we have done in house training on FOI, EIR, DPA, Data Sharing and RIPA for the following organisations: FOI, EIR, DPA, Data Sharing and RIPA for Coventry City Council, Pan Grampian E-Care project, Association of London Government, Royal College of Midwives, Shepway District Council, DFPNI, Neath Port Talbot Council, Forest Heath Council, Babergh Council, NorthTees PCT and many more. If you want to train many people please ask us for a quote.

We will come to you and tailor the courses to fit your corporate policies and procedures. Train 50 people for the price of sending 5 on an expensive course at a distant location.

Email us at [info@actnow.org.uk](mailto:info@actnow.org.uk)

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Act Now Training Ltd, 64 Bradford Road, Dewsbury, WF13 2DU Tel 01924 451054, Fax 01924 451129, [info@actnow.org.uk](mailto:info@actnow.org.uk)