

Data Protection

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Professional Issues

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Partly taken from notes by
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Data Protection Act 1998: Principles

- 1 Personal data shall be processed fairly and lawfully, and with the consent of the data subject (explicit consent for sensitive data).
- 2 Personal data shall be obtained and processed only for specified and lawful purposes.
- 3 Personal data shall be adequate, relevant and not excessive in relation to the purpose for which they are processed, and will not be further processed in any manner incompatible with those purposes.
- 4 Personal data shall be accurate and, where necessary, kept up-to-date.

Data Protection Act 1998: Principles, continued

- 5 Personal data processed for any purpose shall not be kept for longer than is necessary.
- 6 Personal data shall be processed in accordance with the rights of data subjects under the Act.
- 7 Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss, destruction or damage to personal data.
- 8 Personal data shall not be transferred outside the EEA, unless that country ensures an adequate level of protection of the data subjects in relation to the processing of the data.

Sensitive personal data

For Principle 1, sensitive data includes:

- the racial or ethnic origin of the data subject,
- her political opinions,
- her religious beliefs or other beliefs of a similar nature,
- whether she is a member of a trade union,
- her physical or mental health or condition,
- her sexual life,
- the commission or alleged commission by her of any offence.

Rights

For Principle 6, rights include:

- The right to prevent processing likely to cause damage or distress.
- Right to prevent processing for purposes of direct marketing.
- Rights in relation to automated decision-taking (e.g., work performance, creditworthiness).
- Compensation for failure to comply with certain requirements.
- Rectification, blocking, erasure and destruction.