

Jargon buster for data sharing and protection

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Data controller

The person who decides the purposes for which, and the manner in which personal information is to be processed. This may be an individual or an organisation.

Data subject

The person whose personal information is held by a data controller.

Enforcement notice

A legal document which the Information Commissioner can issue to a data controller, requiring him or her to take certain steps to comply with the Data Protection or Freedom of Information Act.

Information Commissioner

An independent office-holder appointed by the Crown to administer and enforce the Data Protection Act, the Freedom of Information Act 2000 and other legislation governing the use of, and access to, information. The Information Commissioner is independent of government and reports directly to Parliament. The present Information Commissioner is Richard Thomas.

The Commissioner also promotes good practice in compliance with the Data Protection and Freedom of Information Acts.

Information Notice

A legal document which the Information Commissioner can issue to a data controller, requiring him or her to supply information to the Commissioner so that he can assess whether or not the data controller is complying with the Data Protection or Freedom of Information Act.

Information Tribunal

A data controller on whom an information or enforcement notice has been served may appeal against the notice to the Information Tribunal.

Notification

The process by which data controllers register their details on the statutory register maintained by the Information Commissioner. They must register the types of information they hold, and the purposes for which they hold it.

Personal data/information

Information relating to a living individual, from which that individual can be identified, or which can be used to identify a living individual in conjunction with other information held, (or likely to be held) by a data controller. Personal data/information includes expressions of opinions about that person, or indications of intent towards them.

Principles

The Data Protection Act 1998 requires that data controllers process personal data in accordance with eight Principles. These require that personal data are:

- fairly and lawfully processed;
- processed for limited purposes;
- adequate, relevant and not excessive;
- accurate;
- not kept longer than necessary;
- processed in accordance with individuals' rights;
- kept secure;
- not transferred to countries outside the European Economic Area without adequate protection.

Processing

The processing of personal data includes obtaining, recording, holding or carrying out any operation on the data.

Subject access

The right of data subjects to receive a copy of the information held about them, a description of why their information is being processed, and details of anyone who may see a copy of their data, to whom it may be transferred, and the logic involved in any automated decisions taken on the basis of that data.