

## **Data Protection Policy**

### **Introduction**

Department for the Economy (DfE) is fully committed to complying with the Data Protection Act 1998.

We will follow procedures to ensure that all employees, contractors, agents, consultants and other parties who have access to any personal information held by or on behalf of us are fully aware of, and abide by, their duties and responsibilities under the Act.

### **Statement of Policy**

We need to collect and use information about people with whom we work in order to carry out our business and provide our services. These may include members of the public, current, past and prospective employees, clients, customers and suppliers. In addition, we may be required by law to collect and use information. All personal information must be handled and dealt with properly however it is collected, recorded and used, and whether it is on paper, in electronic records or recorded in other formats, on other media, or by any other means.

### **Data Protection Principles**

We fully support and comply with the eight principles of the Act. In summary, this means personal information must be:

1. Processed fairly and lawfully;
2. Processed for limited purposes and in an appropriate way;
3. Relevant and sufficient for the purpose;
4. Accurate;
5. Kept for as long as is necessary and no longer;
6. Processed in line with individuals' rights;
7. Secure; and
8. Only transferred to other countries that have suitable data protection controls.

Our purpose for holding personal information, and a general description of the categories of people and organisations to which we may disclose it, are listed on the [Information Commissioner's Data Protection Register](#). DfE's entry number is Z6144919.

### **Disclosure of Personal Information**

Strict conditions apply to the passing of personal information both internally and externally. We will not disclose personal information to any third party, unless we believe it is lawful to do so. Confidentiality will be respected, where appropriate.

In certain circumstances, information relating to employees acting in a business capacity may be made available provided:

- We have the statutory power or are required by law to do so; or
- The information is clearly not intrusive in nature; or
- The employee has consented to the disclosure; or
- The information is in a form that does not identify individual employees.

### **Handling of Personal Information**

All our employees will take responsibility for the following through appropriate training and management:

- Fully observe the conditions in schedule 2 (and schedule 3 in the case of sensitive personal information) of the Act regarding the fair collection and use of personal information;
- Meet our legal obligations to specify the purposes for which personal information is used;
- Collect and process appropriate personal information only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality, and accuracy of personal information used;
- Apply strict checks to determine the length of time personal information is held;
- Ensure that the rights of people about whom information is held can be fully exercised under the Act;
- Take appropriate technical and organisational security measures to safeguard personal information; and
- Ensure that personal information is not transferred abroad without adequate safeguards.

### **Compliance**

We will ensure that:

- There is always someone with specific responsibility for data protection in DfE;
- All employees receive annual awareness of the Act;
- Everyone managing and handling personal information understands that they are directly and personally responsible for following the good practice set out in the Information Commissioner's guidance and Codes of Practice;
- Only employees who need access to personal information as part of their duties are authorised to do so;
- Everyone managing and handling personal information is appropriately trained to do so;
- Everyone managing and handling personal information is appropriately supervised;

- Anyone wanting to make enquiries about handling personal information knows what to do;
- Queries about handling personal information are dealt with promptly and courteously;
- Methods of handling personal information are clearly described;
- A regular review and audit is made of the way personal information is managed;
- Methods of handling personal information are regularly assessed and evaluated; and
- Performance on handling personal information is regularly assessed.

To assist in achieving compliance, we have:

- Appointed a Senior Information Risk Owner as the officer, with overall responsibility for all personal information processed by DfE;
- Appointed Information Asset Owners as officers, with overall responsibility for all the information processed by their business areas;
- Appointed the Departmental Information Manager, as the officer with delegated responsibility for data protection within DfE;
- Appointed a Data Protection Officer, with day-to-day responsibility for ensuring compliance with data protection within DfE;
- Produced this associated policy and procedures; and,
- Appointed dedicated Local Information Managers to ensure staff compliance with the data protection principles, in each of our business areas.

### **Employee Responsibilities**

Employees may be committing a criminal offence if they deliberately try to access, or to disclose, personal data; or to sell, or offer to sell, personal data which has been unlawfully obtained.

All employees have a responsibility to protect the personal information held by DfE.

Employees will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure and, in particular, will ensure that:

- They are trained appropriately in the handling of personal information;
- Paper files and other records or documents containing personal or sensitive personal information are kept in a secure environment;
- Personal data held electronically is protected by the use of secure network passwords which are renewed periodically and access controls set appropriately for personal data held in our electronic document and record management system;
- Personal data accidentally accessed will be reported to line management and the Data Protection Officer;
- Individual passwords are not easily compromised; and

- Where personal information is held on a laptop or other portable device, then sufficient encryption will be used in case the device is lost or stolen. Separate policies govern the appropriate use and security of portable devices.

If, and when, as part of their responsibilities, employees collect information about other people, they must comply with the Data Protection Act. No one should access or disclose personal information inappropriately or use personal data held on others for their own purposes.

### **Third Party Users of Personal Information**

Any third parties who are users of personal information supplied by DfE will be required to confirm and demonstrate that they will abide by the requirements of the Act. Audits may be carried out by DfE to ensure compliance.

### **Policy Awareness**

Policy awareness will be achieved by the following means:

- All employees will be advised of the data protection policy statement by DfE's Senior Information Risk Owner, and will be required to confirm that they have read and understood it;
- The policy statement will be posted on our intranet and internet web-sites, as will any subsequent revisions;
- Line managers will provide all new employees with a copy of the policy statement during induction, and will require them to confirm that they have read and understood it; and
- Business areas which process personal information using any third parties will make them aware of the policy statement and ensure their compliance with it.

### **Policy Review**

This policy will be reviewed on an annual basis.

**April 2017**