Professional and Legal Issues
Week 6

2010-11
INFO2009 (Professional and Legal Issues)

Su White
Plan

Today’s topic Privacy and Ownership

Privacy

- DPA
- Surveillance
- Freedom of Information
- Human Rights Act

Coursework 2 – preparing a resource and poster

Pointers plus private study
Coursework 2

preparing a group resource
recording your work with a poster
How do you keep up to date?

IN THE NEWS…
In the news recently?

Privacy and Data Protection

Information Commissioners Office

Ministry of Justice

Data Protection Act

Google in ‘significant breach’ of UK data laws

There was a "significant breach" of the Data Protection Act when Google collected personal data via its Street View cars, the UK’s Information Commissioner has ruled.

But Google will not face a fine or any punishment, Christopher Graham added.

Instead, the Information Commissioner’s Office (ICO) will audit Google’s data protection practices.

The move marks a U-turn for the ICO which originally ruled that no data breach had occurred.

Last week the ICO vowed to look again at the evidence, after the Canadian data agency found the search giant in breach of its law.

Its decision was welcomed by MP Robert Halfon, who has been critical of the ICO and of Google, which he recently accused of deliberately collecting the data for commercial gain.

However, he said that action had come too late.

*The ICO failed to act when it should have done, despite the fact that Google staged a significant infringement of privacy and civil liberties, by

http://www.bbc.co.uk/news/technology-11684952

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In the news recently?

Google committed 'significant breach' over Street View
Information commissioner says search engine giant must sign an undertaking to ensure data protection breaches are not repeated

Privacy and Data Protection
- Information Commissioners Office
- Ministry of Justice
- Data Protection Act

http://www.guardian.co.uk/technology/2010/nov/03/google-information-commissioner-street-view
In the news recently?

Privacy and Data Protection

Information Commissioners Office

Ministry of Justice

Data Protection Act

ICO will not take 'knee-jerk' reaction against Google

By Tom Kepiner, ZDNet UK, 2 November, 2010 12:44

TOPICS
Street View, Wi-Fi, Unsecured, Unencrypted, Data, Privacy, ICO, Information Commissioners Office, Christopher Graham, Rice

ICO will not take 'knee-jerk' reaction against Google

On Monday, the UK’s privacy watchdog replied to comments made during a parliamentary debate on internet privacy (PDF), which covered the response of the Information Commissioner’s Office (ICO) to Google’s collection of data from home networks.

"This week the Metropolitan Police have... closed their case, believing it would not be appropriate to pursue a criminal case against Google under the Regulation of Investigatory Powers Act (Ripa)," the ICO said in a statement. "Whilst we continue to work with our other international counterparts on this issue, we will not be panicked into a knee-jerk response to an alarming agenda."

The parliamentary discussion on Thursday was called by Robert Halfon MP, who said that he was concerned about a "privateised surveillance society". He specifically mentioned Google’s admission on 22 October that it had collected passwords and whole emails in its Street View sweep of unsecured Wi-Fi networks.

In the debate, Halfon questioned whether the ICO had taken appropriate steps to check the data that Google had collected, saying the watching ‘s response had been ‘lamentable’.

Facebook and Privacy
Startups and ethics
And a back story of interest

http://bit.ly/byHPK0
checklist

➔ Are you keeping up to date?
➔ What are your special interests?
➔ Can you advise people
  ➔ Where to find out about hot topics?
  ➔ On the value of different sources of information?
What do you know about

The Data Protection Act

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Who?

According to the Data Protection Act (1998) "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" is the definition of:

1) A data subject
2) A data processor
3) A data controller
4) The Data Protection Commissioner
In the Data Protection Act, processing is defined as ____________ information.

1) Obtaining
2) Recording
3) Holding
4) Carry out any operation on
5) all of the above
6) None of the above
Rights

Which of the following rights does an individual NOT have under the Data Protection Act (1998)?

1) The right to prevent data about the individual being used for direct marketing
2) The right to have inaccurate data corrected or erased
3) The right to prevent data about the individual being held
4) The right to find out what data is being held about the individual
Why questions?

- To evaluate your knowledge and understanding
- To remind you about the stage test
- To focus you on the topic under discussion 😊
- You might want to find out the answers to these questions
Data Protection Act (1998)

Where to find the answers…
Where? …basics

Government Legislation

→ Data Protection Act

Read and understand

Text book

→ Bott Ch 14: Data Protection, Privacy and Freedom of Information

Other Sources

→ Information Commissioners Office
→ .gov.uk
The Information Commissioner’s Office is the UK’s independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

We can help you

- Find out what personal information is held about you
- Access information from a public body
- Prevent unwanted sales calls and spam emails
- Find out information about the environment
- Request CCTV footage under the Data Protection Act
- Information for organisations

ICO Data Protection Officer conference 2011

On Tuesday 8 March 2011, the Information Commissioner's Office will be hosting its fourth annual Data Protection Officer conference.
Privacy and data protection in direct marketing

Data Protection Act 1998

The Data Protection Act governs the use of personal information by businesses and other organisations. You will need to comply with the Act if you use personal information as part of your business, for example, because you hold customer details or details of employees.

Personal information is information about a living individual who is identified or who is identifiable. It includes information such as a name and address, bank details, and opinions expressed about an individual.

If you are processing personal information covered by the Act you must comply with the data protection principles. These require that personal information is:

- processed fairly and lawfully.
- processed for one or more specified and lawful purposes, and not further processed in any way that is incompatible with the original purpose.
- adequate, relevant and not excessive.
- accurate and, where necessary, kept up to date.
- kept for no longer than is necessary for the purpose for which it is being used.
- processed in line with an individual’s rights.
- kept secure with appropriate technical and organisational measures taken to protect the information.
- not transferred outside the European Economic Area (the European Union member states plus Norway, Iceland and Liechtenstein) unless there is adequate protection for the personal information being transferred.

ICO Helpline
0303 123 1113

Actions
- Data protection principles on the ICO website
- Use our interactive tool to find out whether you need to notify the Information Commissioner about the data your business holds
- Download data protection best practice advice for businesses from the ICO website (PDF, 425KB)
- Data protection scam information on the Office of Fair Trading website

Also on this site
- Comply with data protection legislation
- Manage your customer

http://www.businesslink.gov.uk/bdotg/action/detail?r.lc=en&type=RESOURCES&itemId=1073792159
DPA info on direct.gov

http://www.direct.gov.uk/en/Governmentcitizensandrights/Yourrightsandresponsibilities/DG_10031451

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Barry’s bad data day

“Informational video about compliance with the Data Protection Act 1998. Takes a dramatised approach. A harassed office manager tells of the day he realised that he and his female colleague were inadvertently breaking the law on data protection”.

**LC Class:** KY110.G7

**Title:** Barry’s bad data day [CD-ROM] / Office of the Data Protection Commissioner.

**Imprint:** [Wilmslow, Cheshire : Office of the Data Protection Commissioner, 200-?]

**Physical description:** 1 computer optical disc ; 4 3/4 in.

**Subject (LCSH):** Data protection--Law and legislation.

**Added corp. author:** Great Britain. Information Commissioner's Office.
Further sources?

➤ Search youtube data protection act (sort of ironic?), copyright would be more so…

➤ See also Holt and Newton (2004) for more background
The Data Protection Act

The Data Protection Act (DPA) is a law designed to protect personal data stored on computers. The 1998 Data Protection Act was passed by Parliament to control the way information is handled and to give legal rights to people that have information stored about them.

http://bit.ly/9DHj2c

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"Data protection law protects what is known very generally as information privacy: the right to control what is know about you.

The type of information protected is differently defined in different countries and it is not always clear but typically includes 'personal data' such as name, address, date of birth, contact details, financial, medical, and social work details, history of psychiatric treatment, photographs, genetic, racial and ethnic details, school records, domestic situation and so forth."
Checklist (from ICO)

- Do I really need this information about an individual?
  - Do I know what I'm going to use it for?

- Do the people whose information I hold know that I've got it, and are they likely to understand what it will be used for?

- If I'm asked to pass on personal information, would the people about whom I hold information expect me to do this?

- Am I satisfied the information is being held securely, whether it's on paper or on computer?
  - And what about my website? Is it secure?
Checklist continued

Is access to personal information limited to those with a strict need to know?

Am I sure the personal information is accurate and up to date?

Do I delete or destroy personal information as soon as I have no more need for it?

Have I trained my staff in their duties and responsibilities under the Data Protection Act, and are they putting them into practice?

Do I need to notify the Information Commissioner and if so is my notification up to date?
Data must be

* Fairly and lawfully processed
* Processed for limited purposes
* Adequate, relevant and not excessive
* Accurate and up to date
* Not kept for longer than is necessary
* Processed in line with your rights
* Secure
* Not transferred to other countries without adequate protection
Think about these pointers

- Sources
  - Via a library search
  - Through selective searching (government and official sites)
  - Through popular sources/feeds

- Use this approach
  - For private study
  - For group preparation

you are expected to demonstrate familiarity with sources of information in the exam
The rest of today’s topics...

- Privacy and Ownership
  - Privacy
    - DPA ✓
    - Surveillance
    - Freedom of Information
    - Human Rights Act

You need to do this private study for the test
Use the DPA example

- This class has identified four topics which come within the frame of privacy
- Use the range of sources shown for the DPA
  - **identify information on each topic**
    - Surveillance
    - Freedom of Information
    - Human Rights Act
  - Questions
  - Books
  - Guidance from official web sites – e.g. .gov.uk
  - The source legislation – http://legislation.gov.uk from the national archive
  - Public Services Portal – http://www.direct.gov.uk/
  - Library Searches http://www.soton.ac.uk/library/
  - YouTube searches http://www.youtube.com/
  - Professional bodies – e.g. British Computer Society http://www.bcs.org/
Conducting private study

Find Information

- Google searches for orientation
  - Keywords
  - Keywords + ‘tutorial’
  - Keywords + ‘quiz’
  - Keywords + ‘ac.uk’ | ‘.edu’
- Critical reading of responses
- Targeted searches to gather information
- Further work to organise information

Organise/review

- You might want to work alone
- You might like to work together
  - Study groups
  - Revision groups
  - Student wiki
Coursework 2
PREPARE A RESOURCE AND POSTER
Assessment weighting

- Prepare an annotated bibliography 10%
- Produce and present a resource 45%
- Complete a stage test 20%
- Answer a case study 25%

See https://secure.ecs.soton.ac.uk/module/1011/INFO2009/ for details
DPA is an exemplar

- For each legal topic
- Conduct background investigations
  - Search
  - Note
  - Discuss

‘Research’ topics in depth according to Judgement interest

You may

- choose to investigate it with your group
- find yourself researching it for the exam
- share links and insights via the student wiki
- You are advised to prepare yourself for the stage test
Walking through the assignment specification

- Download the specification document from EdShare
  - Read the spec carefully
  - Identify any questions you may have
  - Think about how you will find time to complete the task

http://www.edshare.soton.ac.uk/6147/
Creating your EdShare

Any student can create an EdShare resource

You can create a single share for the group
It can contain links and multiple documents
Add all the group members as authors
Upload all of the component items into one share
Ensure that you establish a creative commons licence
Make your resource world visible
Ensure that you set the editing rights to University

I will demo creating a share at a future class
Example of a previous work

INFO2009 Coursework 2 - TeamTT

http://www.edshare.soton.ac.uk/4481/

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I have allocated special students to groups

All groups should now have at least four members 😊

- Meet with your group
- Discuss the requirements
- Decide on a working method
- Plan your time
- Update your wiki entry as appropriate