

# COMPI 205 Week 9

Professional Development

Legal, professional and ethical perspectives

Legislation I

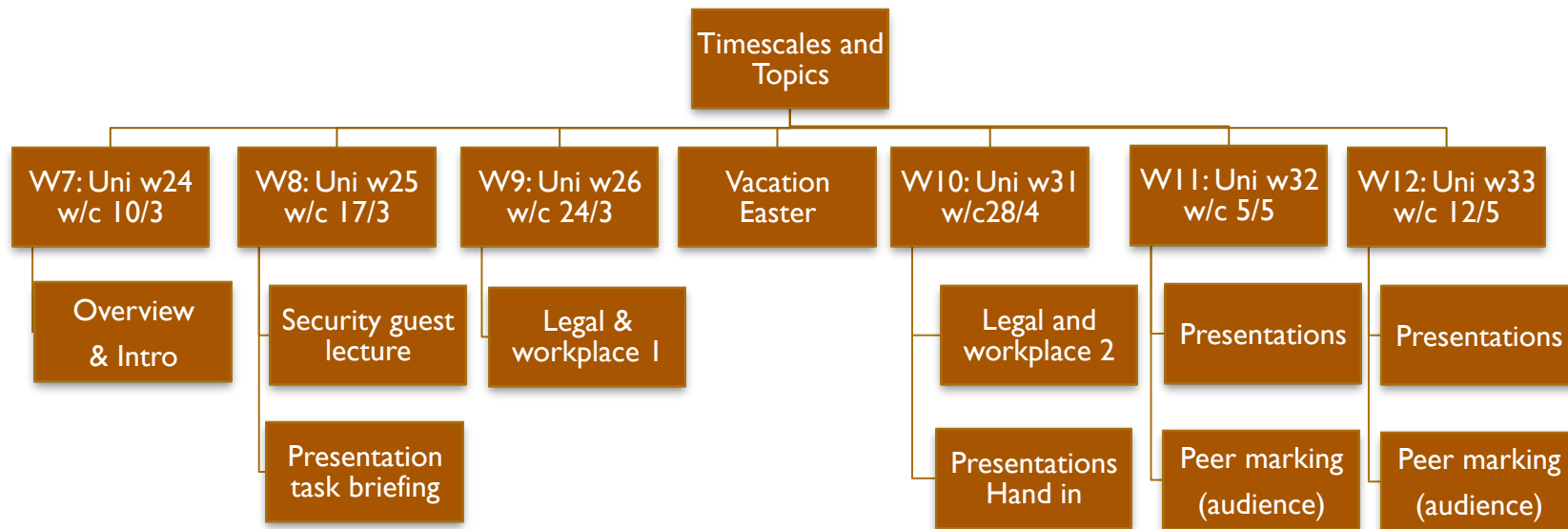
Dr. Su White



# EdShare notes

The EdShare content for this lecture may also include additional reference material  
Please also refer to the Blackboard site when undertaking revision

# Overview: timescales and topics



N.B. Overview of entire module assessed by multiple choice exam

Ethics and Professionalism are threads which run throughout the module

Based on module needs and past experience



# WHAT IS IMPORTANT...



# You are not learning to be a lawyer

But with this module

- develop some legal awareness
- think about your rights
- think about your responsibilities

Law in the workplace

- Contracted to/retained by your employer
- Employed in your organisation

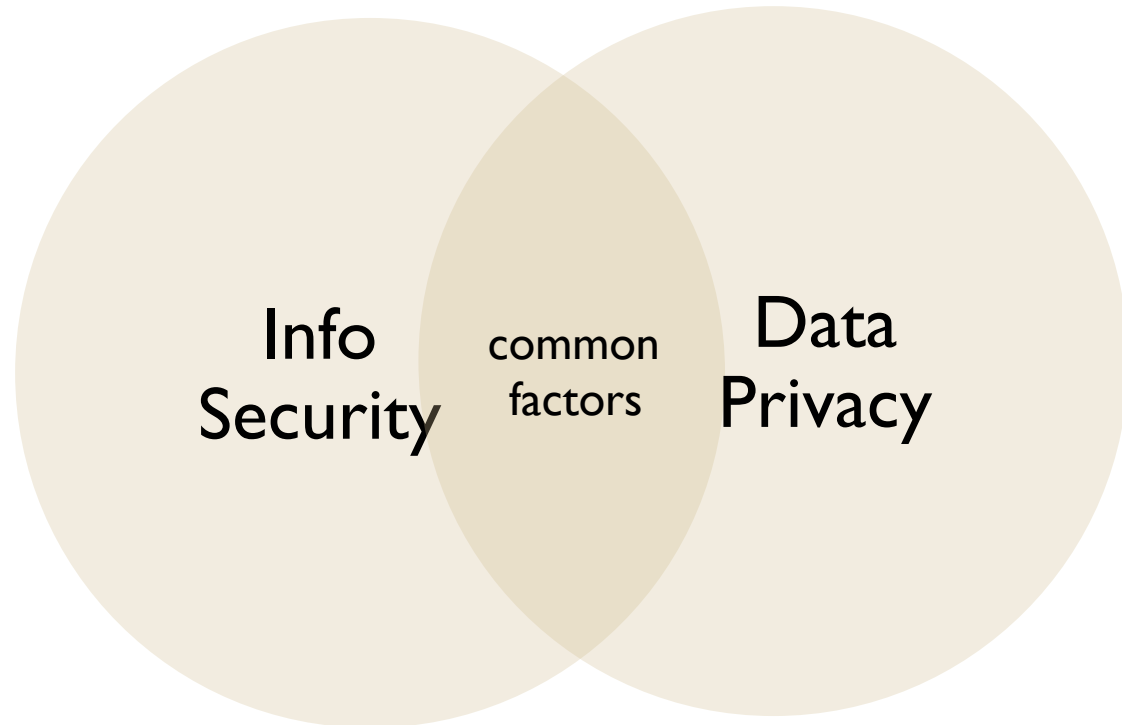
Membership benefit

- Professional bodies
- Trades Unions

# Understand the extent of the area



# Example: power & responsibility



## professional and legal issues might include

intellectual property  
creative commons  
e-commerce  
environment  
freedom of information  
green ICT  
code of conduct  
professionalism  
open data  
open source  
digital futures  
accessibility  
employment rights  
employment rights  
e-government  
file-sharing  
equality  
globalisation  
security  
defamation  
academic ethics  
semantic web  
inclusivity  
computer crime  
outsourcing  
localisation  
professional bodies  
linked data  
civic duty  
libel  
social enterprises  
rights management  
digital management  
health and safety  
free speech  
surveillance  
responsibility  
pornography  
hacking  
data protection  
privacy  
digital divide  
copyright  
discrimination  
censorship  
ethics  
morals



Professional Issues: Perspectives indicative list and categorisation - some topics are listed under more than one heading

**Legal contexts  
and awareness**

Libel and defamation  
Crime online/ cyber-security  
Pornography  
Fraud  
Hacking  
Green ICT  
Legislation in workplace  
contexts

**Global responsibilities/  
civic Responsibilities**

Environment  
Digital divide  
E government  
Globalisation  
Social enterprise  
Think global act local  
Responsibilities  
Freedom of information  
Outsourcing  
Public awareness of science  
Globalisation

**Workplace contexts  
and equality**

Organisations/business models  
Codes of conduct  
Data Protection Act  
Computer crime  
Whistleblowing  
Good practice  
Employment rights and law  
Health and safety  
Industrial tribunals  
Discrimination  
Accessibility  
Inclusivity

**Technology watch/  
Digital futures**

Open data  
Open source  
Augmentation  
Web 3.0/Semantic Web  
Linked Data  
E-commerce  
Emerging Business Models

**Digital Rights and Wrongs**

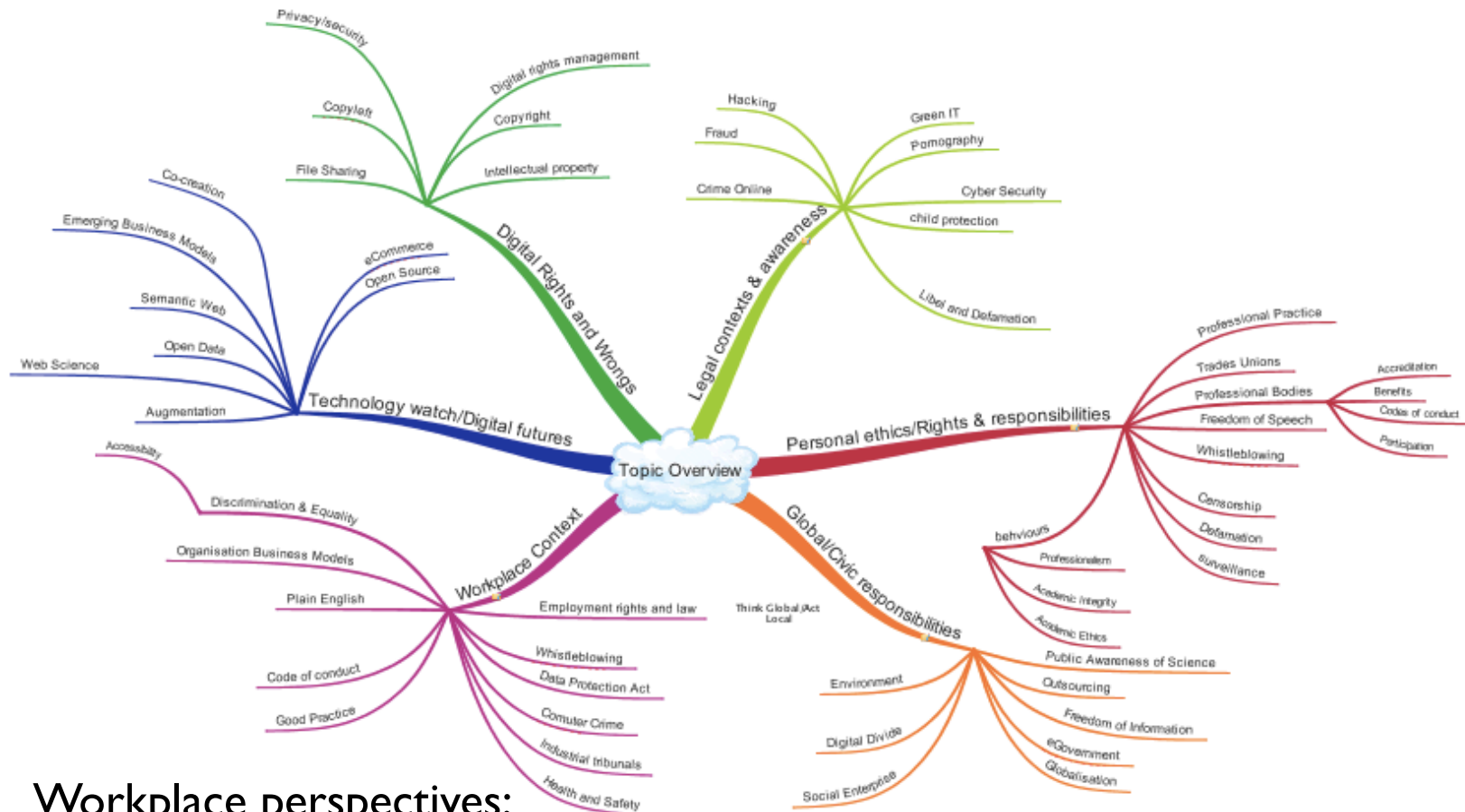
Copyright  
Copyleft  
Creative commons  
File sharing  
Intellectual property  
Digital rights management  
Privacy/security  
Ethical Computing

**Personal ethics/Rights and  
responsibilities**

Academic ethics  
Civic duty  
Censorship  
Freedom of speech  
Defamation  
Whistleblowing  
Ethics  
Surveillance  
Professionalism  
Codes of conduct  
Professional bodies  
Professional practice  
Trades unions

# Legal areas

## 1) Information, Data and Living in a Connected World



## 2) Workplace perspectives: Rights and Responsibilities

# Key topics for legislation

- Privacy
- Security
- Slander, Libel and Defamation
- Digital rights and ownership
- Intellectual Property

## Possible Perspectives

- As an individual professional
- As an employee
- As an individual
- As a citizen

You may have personal ethical views  
or have accepted/committed to legal and ethical responsibilities

Part of the big picture



# TYPES OF LAW IN THE UK

# Overview: Types of law in the UK

Statute law

Common law

International law

# UK: Statute Law


## Statute law

- Made by government
- [legislation.gov.uk](http://legislation.gov.uk)
- Context
  - UK does not have a constitution
- Constraints
  - International treaties
  - EU law

## Acts of Parliament

- Debated
  - House of Commons
  - House of Lords
- Enacted
  - Royal Consent

# Statutes are made by parliament

 [www.parliament.uk](http://www.parliament.uk) [Accessibility](#) [Cookies](#) [Email alerts](#) [RSS feeds](#) [Contact us](#)

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[House of Commons](#) [House of Lords](#) [What's on](#) [Bills & legislation](#) [Committees](#) [Publications & records](#) [Parliament TV](#) [News](#) [Topics](#)


You are here: [Parliament home page](#) > [Parliamentary business](#) > [Bills & legislation](#)

## Bills & legislation

Bills and Legislation sets out the proposals for new laws, and plans to change existing laws, that are presented for debate before Parliament.

Keep up to date with the progress of current and draft Bills before Parliament; read the full texts of Acts of Parliament, and find out the details of delegated legislation that change laws under existing Acts.


### Bills before Parliament



Full text of Public, Private and Hybrid Bills, plus their progress through Parliament; includes Acts passed this session

- [Bills before Parliament](#)
- [Bills in previous sessions](#)
- [Progress of Public Bills this session](#)

### Draft Bills before Parliament



The Government publishes a number of Bills each session in draft form to enable consultation before a Bill is issued formally

- [Draft Bills before Parliament](#)
- [Draft Bills in previous sessions](#)

### How does a Bill become law?


Our [Passage of a Bill](#) guide shows a Bill's journey through Parliament – find out what happens at each stage.

### Bills v Acts

A Bill is a draft law; it becomes an Act if it is approved by a majority in the House of Commons and House of Lords, and formally agreed to by the reigning monarch (known as *Royal Assent*). An Act of Parliament is a law, enforced in all areas of the UK where it is applicable.

- [More about Bills](#)
- [More on Acts](#)


### Secondary Legislation



Delegated legislation allows the Government to make changes to the law using powers conferred by an Act of Parliament

- [Statutory Instruments](#)
- [Church Measures](#)
- [Special Procedure Orders](#)
- [Hybrid instruments](#)

### Acts of Parliament



Learn more about the full text of Public General Acts from 1988 and all Local (Private) Acts from 1991 as they were originally enacted

## Example Digital Economies Act 2010

# UK: Common Law aka Case Law

## Common Law

- Precedent of cases
- Made by judges
- Judgments and interpretation of statute law

## Historical roots

- In addition to what is covered by statute
- Judges rôle
  - Interpret statutes
  - Follow precedent
  - Rule on 'points of law'
  - Cannot create new areas of law



# Common law examples

Where no statute exists

- Confidentiality
  - Employees have duty of confidentiality to their employers
  - Extends beyond end of employment
- Precedent established in previous court cases



# International law: treaties

- Government treaties
- For example, trademarks, IP



The screenshot shows the INTA (International Trademark Association) website. The main navigation bar includes 'About', 'Global Trademark Resources', 'Topic Portal', 'Trademark Basics', 'Country Portal', 'Quick-Start TM Chart', 'Country Guides', 'Practitioners' Checklists', 'Madrid Agreement & Protocol', 'Trade Dress', 'U.S. State Trademark Law', 'Oppositions', 'Cancellations', 'Famous and Well-Known Marks', 'Industry Perspectives', 'Corporate Style Guides', 'The Trademark Reporter®', 'Annual Reviews of Case Law', 'INTA Bulletin', 'Print Publications', 'China Bulletin', 'Mediation', 'Policy and Advocacy', 'Programs and Events', 'Membership and Committees', 'INTA Bulletin', 'Job Bank', 'Membership Directory', and 'My Powerful Network'. There are also buttons for '2014-2017 INTA Strategic Plan', 'Renew your INTA membership for 2014', 'INTA's Pre-Annual Meeting Receptions', 'unreal Get Involved', 'New gTLDs: Helping Brand Owners Prepare', and 'Practitioners' Checklists'. The main content area is titled 'International Treaties' and contains three numbered sections: 1. What are the international treaties that affect trademarks?, 2. Why are international treaties adopted?, and 3. The Paris Convention. Section 1 lists multilateral treaties like the Paris Convention, Madrid Agreement, and TRIPS, as well as regional agreements like ARIPO and OAPI. Section 2 states that the main purposes of these treaties are the protection of rights and harmonization of laws. Section 3 describes the Paris Convention as the oldest major international treaty concerning the protection of intellectual property, adopted in 1883. It lists key features: creation of a legal entity (WIPO), national treatment, and convention priority. A paragraph below explains that the Paris Convention ensures protection of rights in all other signatory countries and includes provisions for unfair competition. A final paragraph notes that the Paris Convention is self-executing in some countries and allows for special agreements.

INTA International Trademark Association

INTA Blog Media Center Advertise Search

Global Trademark Resources

Fact Sheets Cross-Border Topics

Print Page

Fact Sheets Home

## International Treaties

### 1. What are the international treaties that affect trademarks?

- Multilateral treaties and agreements such as the Paris Convention, the Madrid Agreement and the Madrid Protocol, TRIPS, the Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks, the Trademark Law Treaty, the Nice Agreement on International Classification, the Madrid Agreement on Indications of Origin, and the Singapore Treaty on the Law of Trademarks.
- Regional agreements formed by countries of one region such as ARIPO and OAPI in Africa, the Andean Pact and Mercosur in South America, NAFTA, the General Inter-American Convention for Trade Mark and Commercial Protection and the European Community Trade Mark.
- Bilateral treaties and agreements between two countries or between a country and an intergovernmental organization (e.g., the European Union) on such issues as trade and intellectual property rights.

### 2. Why are international treaties adopted?

The main purposes of these treaties affecting trademarks are the protection of rights, harmonization of laws and multilateral filing.

### 3. The Paris Convention

The "Paris Convention for the Protection of Industrial Property" ("Paris Convention") is the oldest major international treaty concerning the protection of intellectual property. It was adopted in 1883 and has been revised several times. The Paris Convention provides for the following:

- **Creation of a legal entity recognized under international law** comprised of the following administrative bodies: the World Intellectual Property Organization (WIPO), the Assembly (which comprises all member nations) and the Executive Committee.
- **National treatment:** This means that nationals of any signatory country enjoy in all other signatory countries the advantages that each national law grants to citizens within their own nations.
- **Convention priority:** Any person who has filed a trademark application in one of the signatory countries possesses a right to claim that filing date for priority purposes for trademark applications filed within six months in other signatory countries.

The Paris Convention ensures the nationals of any signatory country certain protection of their rights in all other signatory countries. These rights include the protection of well-known marks (Article 6bis), protection of trade names (Article 8) and claims deriving from unfair competition (Article 10bis).

In some countries the Paris Convention is self-executing, which means that the Convention becomes enforceable by the signatory's mere accession and no further implementing legislation is required. The Paris Convention allows signatories to conclude special agreements in the field of protection of intellectual property, as long as these agreements do not contravene the regulations of the Paris Convention (Article 19). The most important special agreements in relation to the protection of trademarks are: the Madrid Agreement, the Protocol relating to the Madrid Agreement, the TRIPS Agreement, the Nice Agreement, the Vienna Agreement, the Trademark Law Treaty, and the Madrid Agreement on Indications of Origin.

# European Legislation

- Directives
- Instruments
- Regulations

## Directives

- Member states must update laws
- Specifies outcome, not implementation
- Can be implemented in parts

## Example areas

- Modernisation of professional qualifications
- Restriction of hazardous substances
- Energy efficiency/ green IT
- Packaging and packaging waste

# Focus: criminal vs civil

## Criminal law

- Behaviour forbidden/ outlawed by state
- In case law it can be identified as

*R versus xxxxx*

## Civil law

- Rights & obligations
- Business contracts
- Implied contracts
- Product liability
- Vicarious liability
  - Employers may be liable for acts by employees e.g. slander, defamation, libel

# Civil and criminal law can both be relevant

Historically information was not regarded as property

But...

Scanning a book and publishing it on the internet?

Are the author's and publishers right

- Criminal?
- Civil?

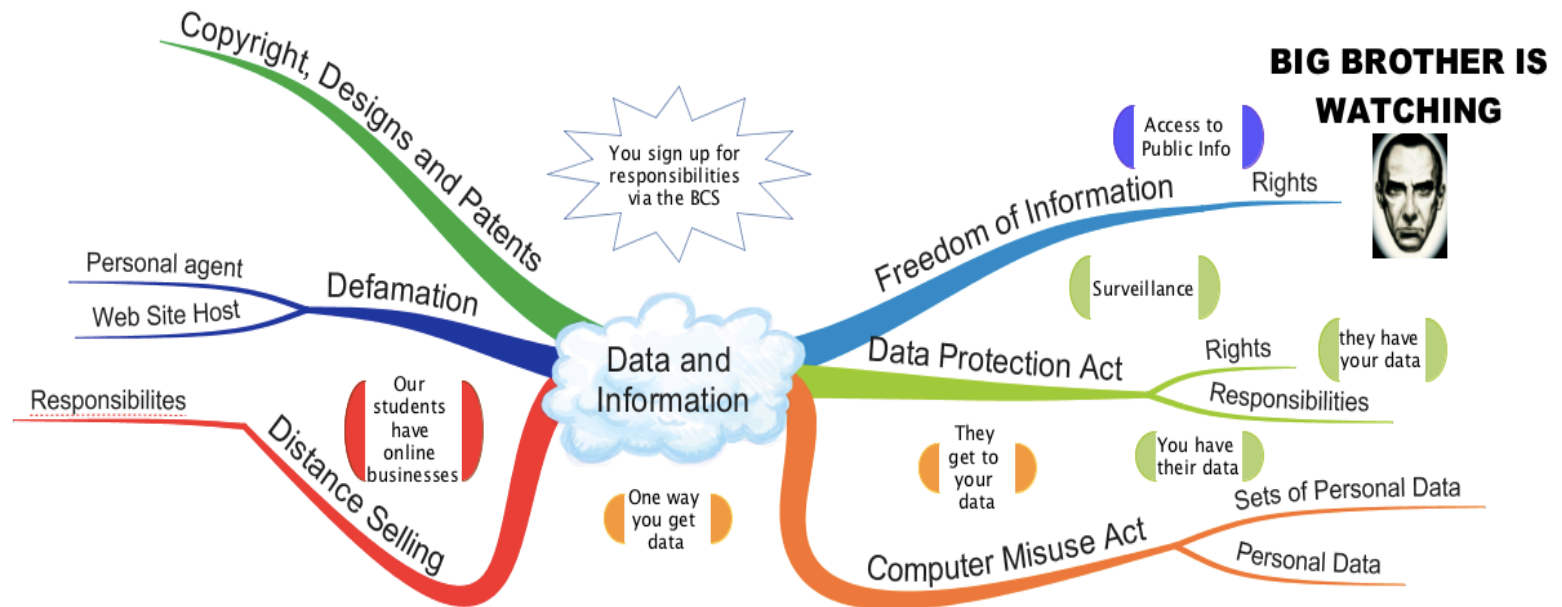
# Key Areas

- Communications Act 2003 section 127 (Came into force 25th July 2003 replaced s43 Telecommunications Act 1984)
- Computer Misuse Act 1990
- Copyright design and patents 1988
- Data Protection Act 1998
- Defamation Act 1996
- Disabilities Discrimination Act
- Digital economy act 2010
- Electronic Commerce (EC Directive) Regulations 2002
- Electronic waste disposal
- Equalities Act 2010
- Health and Safety at work 1974
- Harassment protection act 1997
- Human rights act 1998
- Malicious Communications Act 1988 section 1
- Postal Services Act 2000 section 85 (commenced 26th March 2001)
- Regulation of Investigatory Powers Act 2000

The focus for this module

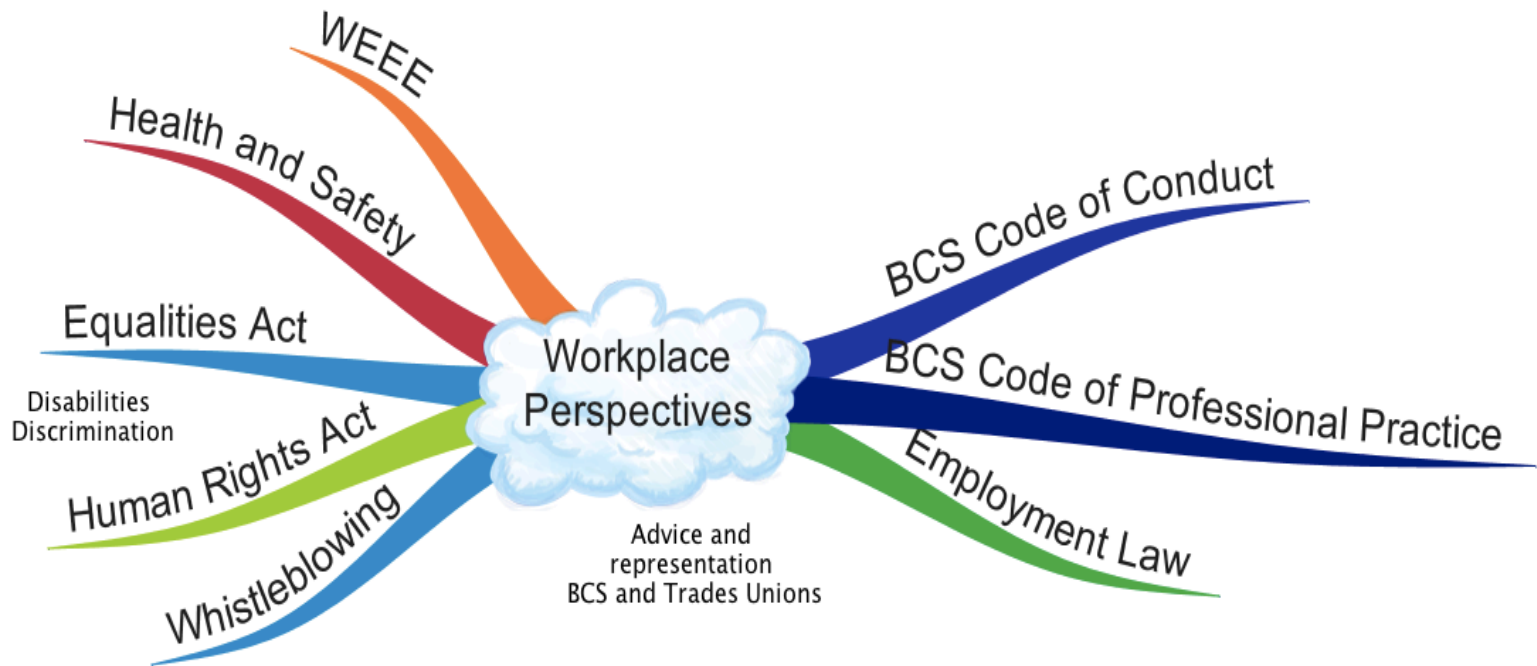
◦ **WAYS OF LOOKING AT  
UK LAW AS AN IT  
PROFESSIONAL**

# Data and Information perspectives

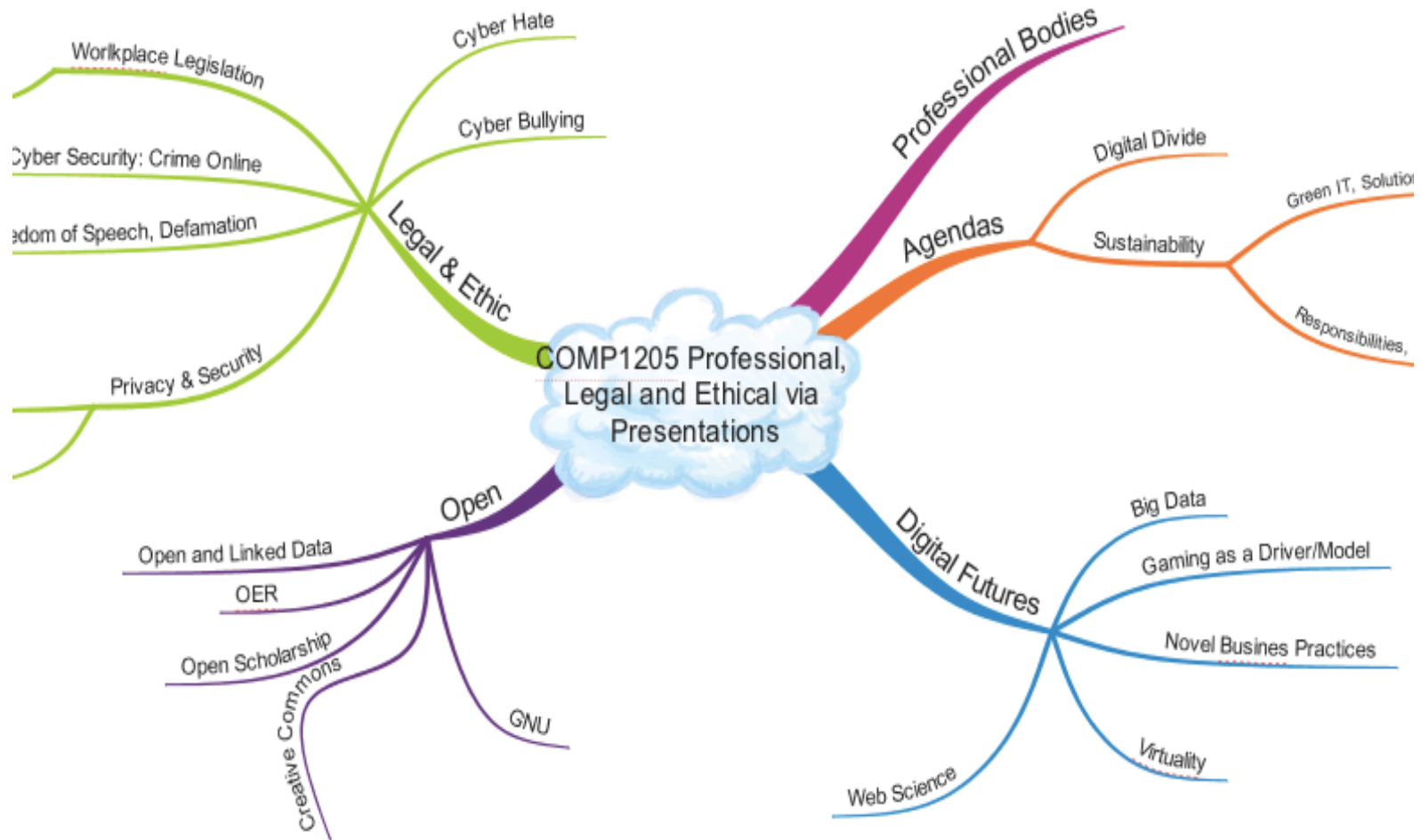




# Workplace Perspectives: detail W I 0



# Via the presentations...



You provide references, you research topics, relevant in different ways

Professional Issues: Perspectives indicative list and categorisation - some topics are listed under more than one heading

### **Legal contexts and awareness**

- Libel and defamation
- Crime online/ cyber-security
- Pornography
- Fraud
- Hacking
- Green ICT
- Legislation in workplace contexts

### **Global responsibilities/ civic Responsibilities**

- Environment
- Digital divide
- E government
- Globalisation
- Social enterprise
- Think global act local
- Responsibilities
- Freedom of information
- Outsourcing
- Public awareness of science
- Globalisation

### **Workplace contexts and equality**

- Organisations/business models
- Codes of conduct
- Data Protection Act
- Computer crime
- Whistleblowing
- Good practice
- Employment rights and law
- Health and safety
- Industrial tribunals
- Discrimination
- Accessibility
- Inclusivity

### **Technology watch/ Digital futures**

- Open data
- Open source
- Augmentation
- Web 3.0/Semantic Web
- Linked Data
- E-commerce
- Emerging Business Models

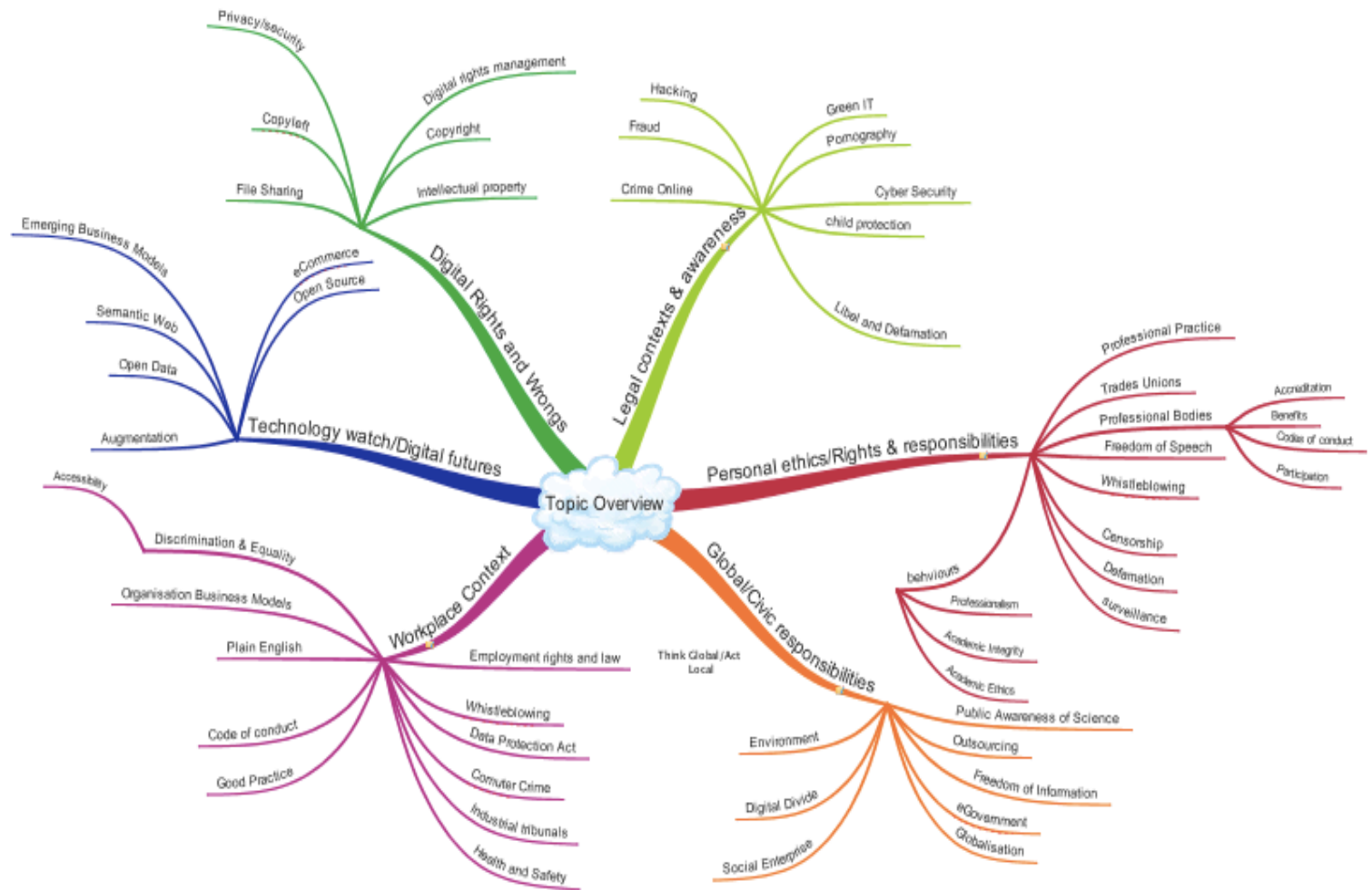
### **Digital Rights and Wrongs**

- Copyright
- Copyleft
- Creative commons
- File sharing
- Intellectual property
- Digital rights management
- Privacy/security
- Ethical Computing

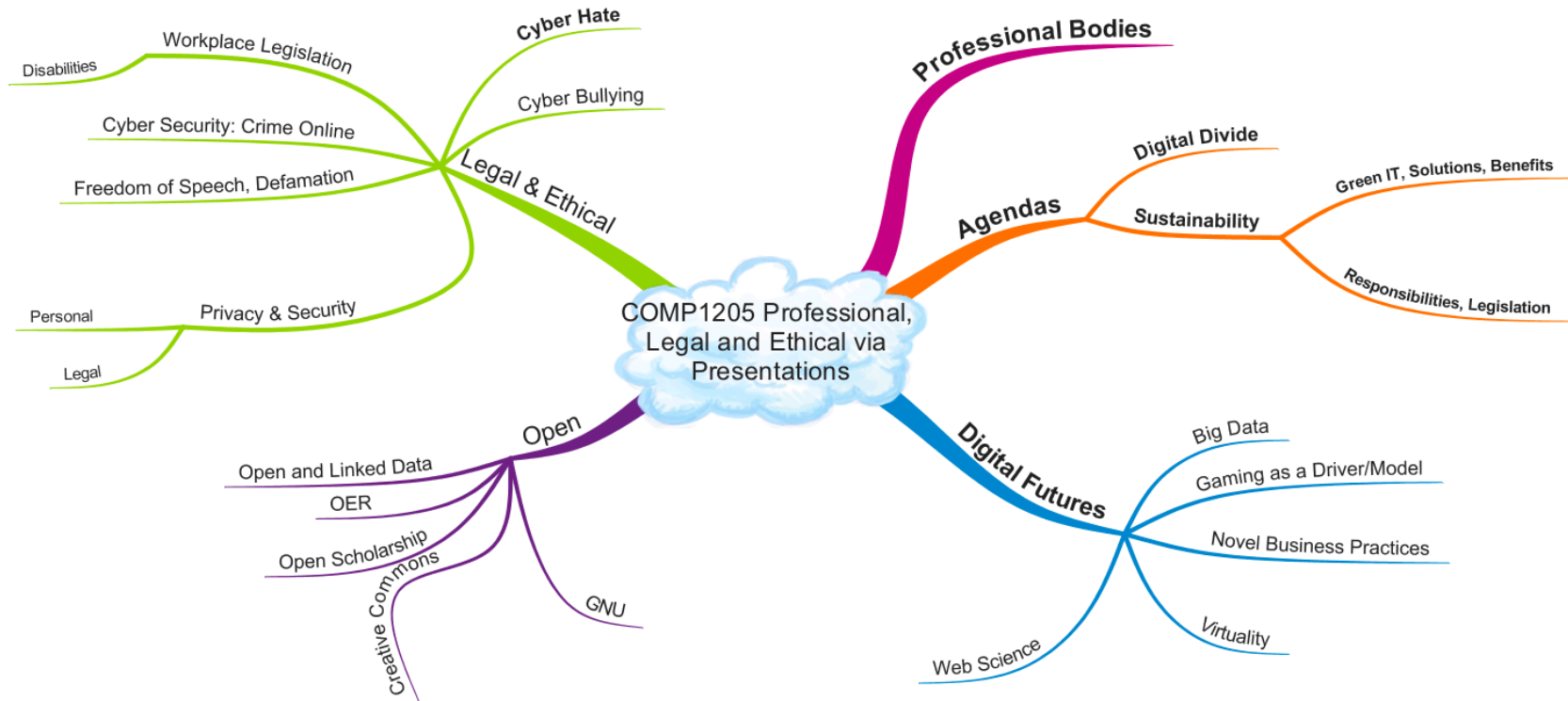
### **Personal ethics/Rights and responsibilities**

- Academic ethics
- Civic duty
- Censorship
- Freedom of speech
- Defamation
- Whistleblowing
- Ethics
- Surveillance
- Professionalism
- Codes of conduct
- Professional bodies
- Professional practice
- Trades unions

# Topic Areas (see how they relate)



# Reworking the table overview



Walkthrough some new areas



# TAKING AN IT PERSPECTIVE

# IT contexts

## UK criminal law

- By statute
- examples
  - Digital Economies Act 2010
  - Computer Misuse Act 1990
  - Design Copyright and Patents Act 1988

## ● UK Civil law

- By case history
- Issues:
  - buggy software
- Rights:
  - when purchased software fails
  - when purchased software makes me lose money

# New technologies -> disruption

## Existing legislation

- Was not prepared for new contexts

## But...

- Are there actually new crimes...
- or are there just new ways of committing old crimes

## New legislation

- Moral panic
- May need refinement
- Appeals, civil action to augment legislation
- Examples
  - Malicious hacking
  - Technological attack (viruses)
  - Perceived social threat



# Response to disruption

## Computer misuse act 1990

- Fraud, hacking, viruses
- other computer-related crime
- Motivation
  - Overcome loopholes in existing legislation

## Principles

- Conduct which is criminal remains criminal when enabled by new means  
e.g. computer technology

Conduct which is not generally considered to be criminal does not become criminal because of the computer context

# Computer misuse act 1990

- Causing an computer to perform any function **with intent** to secure access to any program or data held within a computer
- The **access** intended to be secured is unauthorised
- The act is performed with knowledge lack of authorisation at the time of the alledged crime
- Further offence
- If (having gained unauthorised access) faciliate the commission of an offence
- Consequence
- Illegal
- To use a computer to help set up a crime
  - Either by yourself
  - Or by any other person

# Computer misuse act

- A person is guilty of an offence if....
- The commit any act which causes the unauthorised modification of the contents of a computer
- At the time of the act they have
  - the requisite intent and
  - the requisite knowledge

# Computer fraud

- Fraud
- Gaining financial gain by deception
- Theft
- Taking with intent to permanently deprive
- Using a computer to obtain money illegally is fraud
- Computer fraud often conducted by insiders
- Acting without authorisation

Revisiting the week 7 independent tasks

# DATA PROTECTION ACT

DPA: <http://www.edshare.soton.ac.uk/10483/>  
Links from week 7 (see Blackboard)

# Revision resources

- DPA - <http://www.edshare.soton.ac.uk/10483/>
- Links from week 7 (see Blackboard)

Use this as a model for the way you approach any of the legal topics

**FIRST CALIBRATE YOUR  
EXISTING  
KNOWLEDGE...**

# 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



# What?

- 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

Where to find the answers...



# **DATA PROTECTION ACT (1998)**

# Where? ...basics

## Government Legislation

- Data Protection Act

Read and understand

Set book (library)

- Bott Chapter 14:
- Data Protection,
- Privacy
- Freedom of Information

### **Other Sources**

- ➔ **Information Commissioners Office**
- ➔ **.gov.uk**



# Data Protection Act 1998

[Home](#) [About Us](#) [Browse Legislation](#) [New Legislation](#) [Changes to Legislation](#) [Search Legislation](#)

Title:  Year:  Number:  Type:

[Advanced Search](#)

## Data Protection Act 1998

1998 c. 29 [Table of Contents](#)

[Table of Contents](#) [Content](#)

[Plain View](#) [Print Options](#)

### What Version

Latest available (Revised)

Original (As enacted)

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Data Protection Act 1998. Those changes will be listed when you open the content using the Table of Contents below. Any changes that have already been made by the team appear in the content and are referenced with annotations.

### Opening Options

[Collapse all -](#)

[Collapse -](#)

Introductory Text

#### Part I Preliminary

1. Basic interpretative provisions.
2. Sensitive personal data.
3. The special purposes.
4. The data protection principles.
5. Application of Act.
6. [The Commissioner and the Tribunal](#)

# ICO web site



Franglais Español Cymraeg

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Quick links

(select a destination) Go

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Search Advanced Search

- Home >>
- For the public >>
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- What we cover >>
- About the ICO >>
- News and events >>
- Tools & resources >>
- Complaints >>
- Jobs >>

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

## Find out how to

request CCTV footage under the Data Protection Act Go

### > Latest news

- 05 Nov 10 - Businesses lag behind public sector on DP awareness**  
Large private sector companies are lagging behind the public sector on data protection knowledge, the ICO says today ...
- 03 Nov 10 - ICO announces outcome of Google investigation**  
Google UK will be subject to an audit and must sign an undertaking to ensure data protection breaches do not occur again ...

### > Information for organisations

- Data Protection Act
- Privacy and electronic communication
- Freedom of Information Act
- Environmental information
- Register of data controllers
- Notify with us under the Data Protection Act
- Decision notices
- Document library

- Site tour
- Site A to Z
- Sitemap
- Guide to information

be cre@tive  
with y0ur  
pa55word!  
find out how to  
stay secure  
online.



<http://www.ico.gov.uk/>

... hosting its fourth annual

Guide

## Data protection

 [Printer friendly page](#)

Part 1  
The Data Protection Act

Part 2  
[Find out what data an organisation has about you](#)

Part 3  
[Make a complaint](#)

Part 1

### The Data Protection Act

The Data Protection Act controls how your personal information is used by organisations, businesses or the government.

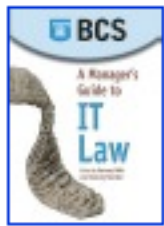
Everyone who is responsible for using data has to follow strict rules called 'data protection principles'. They must make sure the information is:

- used fairly and lawfully
- used for limited, specifically stated purposes
- used in a way that is adequate, relevant and not excessive
- accurate
- kept for no longer than is absolutely necessary
- handled according to people's data protection rights
- kept safe and secure
- not transferred outside the UK without adequate



# Further sources?

- Search youtube data protection act (sort of ironic?), copyright would be more so...
- See also Holt and Newton (2004) for more background



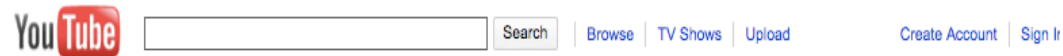
## [A Manager's Guide to IT Law](#)

[Jeremy Holt](#), [Jean Morgan](#), [Sarah Ellacott](#), [Andrew Katz](#), [Jeremy Newton](#) - [Computers](#) - 2004 - 156 pages

This comprehensive guide for management professionals discusses the IT-related legal issues faced by business and their staff on a daily basis.

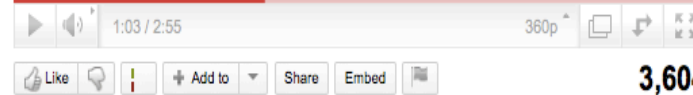
No preview available - [About this book](#) - [Add to my library](#)

# YouTube –use your critical faculties



## The Data Protection Act

connerrudd10 14 videos



connerrudd10 | February 25, 2009  
no description available

Uploader Comments (MultiV3000)

MultiV3000 3 weeks ago he looked into my personal file can he do it without permission.

### Suggestions

- Computer Backup**  
by lockergnome  
32,635 views Featured Video
- The Data Protection Act (DPA) 1984 and 1998**  
by 29matt92  
861 views
- Computer Misuse Act 1990**  
by karldou  
2,047 views
- Data Protection**  
by Pilotlights  
1,268 views
- Facebook, not what you think. PLEASE SEE THIS**  
by iloveveroniquearnard  
373,667 views
- Data Protection Day 2010 - Think Privacy**  
by MicrosoftEurope  
6,336 views
- Data Protection Laws video**  
by isvideo1  
521 views
- data protection lesson**  
by bicoyd  
2,747 views

<http://bit.ly/9DHj2c>

# BCS – book details + download



The screenshot shows the BCS website interface. At the top left is the BCS logo with the tagline 'The Chartered Institute for IT Enabling the information society'. Navigation links include Home, About BCS, Contact & Help, and Login. A search bar is located on the right. A main navigation bar highlights 'Products, Services and Events'. The breadcrumb trail indicates the current location: Books > Data Protection and Compliance in Context.

**About BCS**

- Qualifications, Training, Careers
- Membership and Networking
- Opinion, News, Analysis
- Products, Services and Events**
- Solutions for Business
- Green IT
- Publishing
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- Want to be a writer?
- Awards and Competitions
- Events
- Continuing Professional Development (CPD)
- Professional Advice Register
- Contact and Help

**Data Protection and Compliance in Context**

Stewart Room

£35.95 Standard  
€55.95 Euros  
\$59.95 US Dollars

[Order online](#)

Data Protection and Compliance in Context is a comprehensive guide which:

- explains the content of data protection laws;
- provides practical advice on protecting data privacy under the Data Protection Act, human rights laws and freedom of information legislation;
- gives data controllers a platform for building compliance strategies.

Data protection law covers the processing of information relating to individuals: something we all do. Every business and every person with a PC comes under the Data Protection Act 1998, an Act that has already had a massive effect upon our business and private lives.

The concept of data processing is extremely wide, covering every conceivable thing that can be done on or towards personal data: from its initial collection right through to its final deletion, including its organisation, alteration, use and disclosure.

Written by Stewart Room, the National Chair of the National Association of Data Protection and Freedom of Information Officers, *Data Protection and Compliance in Context* enables the safe navigation of this difficult area.

**About the author**

Barrister and solicitor Stewart Room is a partner at Rowe Cohen Solicitors, where he heads the Information Law Unit. He has previously been in private practice at the Bar. His clients include EMC2, Computer Associates, Dell, Novell, the Chartered Institute of Public Finance and Accountancy, the Direct Marketing Association, the Federation of Small Businesses, Veredus, UNICEF, the National Theatre and the International Cricket Council. Stewart is a member of the BCS Information Privacy Expert Panel. He is also a visiting lecturer on the Computer & Communications Law Masters degree programme run by Queen Mary, University of London.

**Data Protection & Compliance in Context**



Stewart Room

Published: November 2006  
ISBN: 978-1-902505-78-7  
Pages: 304pp  
PbK, 246 x 172mm

This pragmatic guide: explains data protection laws; provides practical advice on protecting data privacy under the Data Protection Act, human rights law and freedom of information legislation; gives data controllers a platform for building compliance strategies.

 [Take a look](#) (includes contents, first chapter and index)

# Google it!



data protection and compliance in context

**Web**

Images

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Books

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Search tools

About 5,740,000 results (0.27 seconds)

[\[PDF\] Data Protection and Compliance in Context - BCS](#)

[www.bcs.org/content/conMediaFile/13494](http://www.bcs.org/content/conMediaFile/13494) ▾

Nov 22, 2005 – **Data Protection and Compliance in Context**. Stewart Room, LLM. Barrister & Solicitor. Chairman, National Association of **Data Protection** ...

[Data Protection and Compliance in Context | Books | Publishing ...](#)

[www.bcs.org](http://www.bcs.org) > ... > [Products, Services and Events](#) > [Publishing](#) > [Books](#) ▾

**Data Protection and Compliance in Context** is a comprehensive guide which explains the content of data protection laws.

[Data Protection and Compliance in Context: Amazon.co.uk: Stewa...](#)

[www.amazon.co.uk](http://www.amazon.co.uk) > ... > [Reference & Education](#) > [Business Law](#) ▾

Trade in **Data Protection and Compliance in Context** for an Amazon.co.uk gift card of up to £7.48, which you can then spend on millions of items across the site.

# DPA - extent

**"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.**

**From Edwards and Rodrigues, The right to privacy and confidentiality for children: the law and current challenges (2008)**

# 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

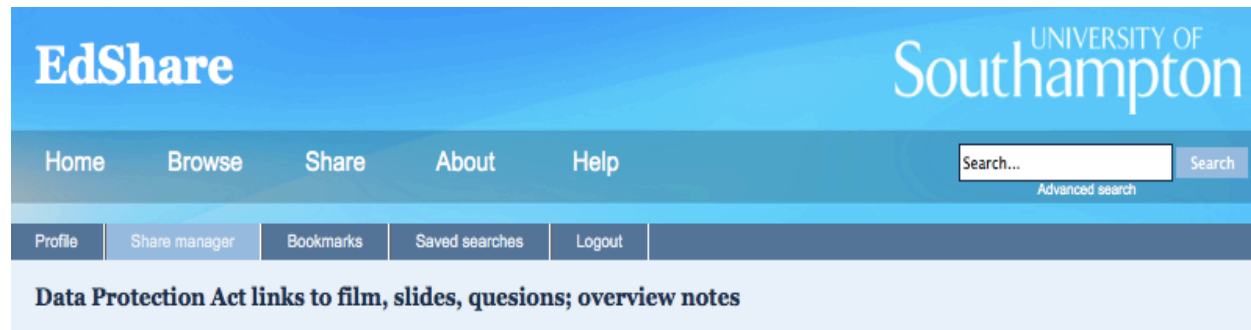


# Think about these pointers

- 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

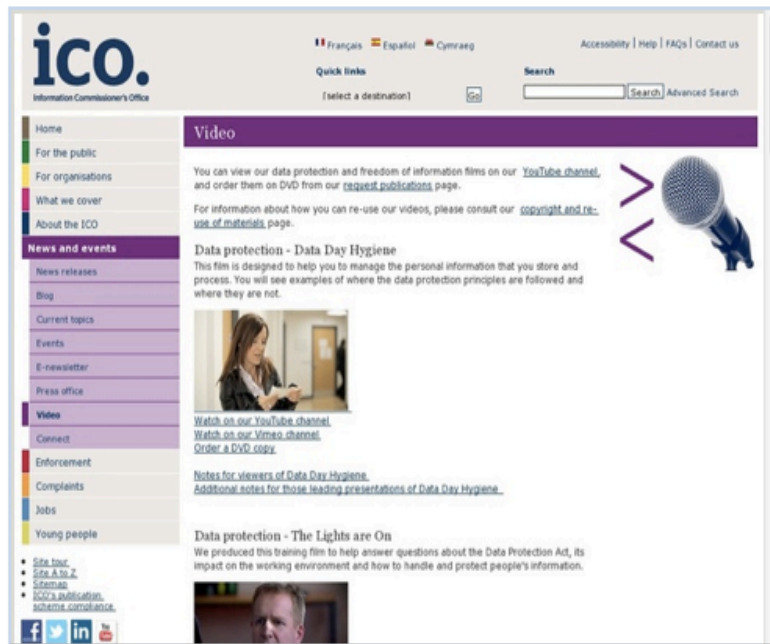
you may be expected to demonstrate familiarity  
with sources of information in the exam

# There are some related resources in EdShare



The navigation bar for EdShare at the University of Southampton. It features the EdShare logo on the left and the University of Southampton logo on the right. Below the logos is a horizontal menu with links for Home, Browse, Share, About, and Help. To the right of this menu is a search box with a 'Search' button and a link to 'Advanced search'. Below the main menu is a secondary navigation bar with links for Profile, Share manager, Bookmarks, Saved searches, and Logout.

## Data Protection Act links to film, slides, questions; overview notes



A screenshot of the Information Commissioner's Office (ICO) website. The page is titled 'Video' and features a sidebar with navigation links such as Home, For the public, For organisations, What we cover, About the ICO, News and events, and Video. The main content area includes a section for 'Data protection - Data Day Hygiene' with a video player and a microphone icon. Below this is a section for 'Data protection - The Lights are On' with a video player and a person's face. The page also includes a search bar, language options (Français, Español, Cymraeg), and accessibility links.

### Description

Published on Jun 7, 2012 by icocomms This ICO training video helps answer questions about the Data Protection Act, its impact on the working environment and how to handle and protect people's information. (Produced by Central Office of Information, Crown Copyright 2006)

### Advice for reuse

use in conjunction with slide set, questions

### Resource details

Added By:  Dr Susan White

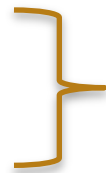
Added On: 22 Oct 2012 14:29

Creators: Su White

Tags: Data Protection Act, Legal Issues

# Related topics...

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



Pointers **plus private study**



# Use the DPA example/model

- 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
  - Business advice – business link – <http://www.businesslink.gov.uk/>
  - 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

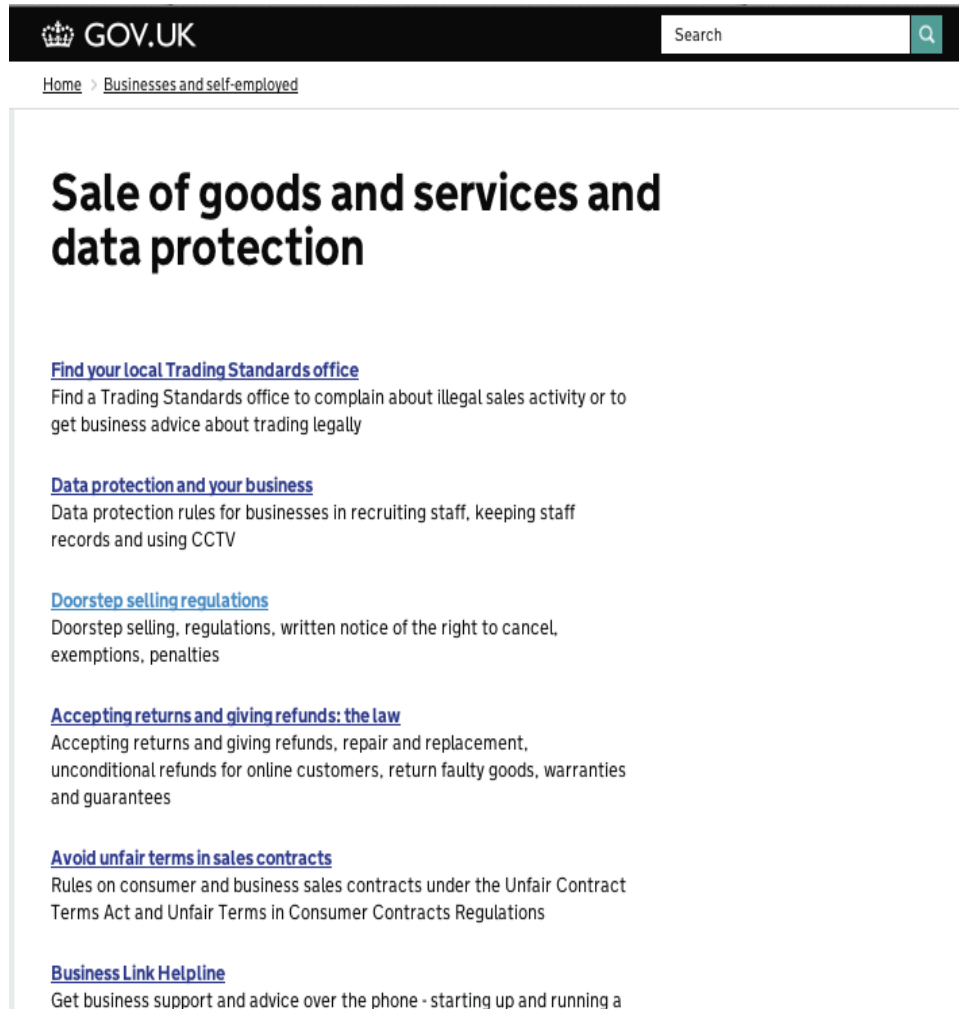
## Find Information

- 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

# Think about a bigger picture...



The screenshot shows the GOV.UK website interface. At the top left is the GOV.UK logo. To the right is a search bar with the text 'Search' and a magnifying glass icon. Below the navigation bar, the breadcrumb trail reads 'Home > Businesses and self-employed'. The main heading is 'Sale of goods and services and data protection'. Below this, there are seven links, each followed by a brief description of the topic.

**GOV.UK** Search

Home > Businesses and self-employed

## Sale of goods and services and data protection

[Find your local Trading Standards office](#)  
Find a Trading Standards office to complain about illegal sales activity or to get business advice about trading legally

[Data protection and your business](#)  
Data protection rules for businesses in recruiting staff, keeping staff records and using CCTV

[Doorstep selling regulations](#)  
Doorstep selling, regulations, written notice of the right to cancel, exemptions, penalties

[Accepting returns and giving refunds: the law](#)  
Accepting returns and giving refunds, repair and replacement, unconditional refunds for online customers, return faulty goods, warranties and guarantees

[Avoid unfair terms in sales contracts](#)  
Rules on consumer and business sales contracts under the Unfair Contract Terms Act and Unfair Terms in Consumer Contracts Regulations

[Business Link Helpline](#)  
Get business support and advice over the phone - starting up and running a

# Starting points



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.



- Home
- For the public
- For organisations**
- Data protection
- Privacy and electronic communications
- Freedom of information**
- The Guide
- ICO specialist guidance
- Environmental information
- INSPIRE Regulations
- Sector guides
- Guidance index
- Training materials

## Freedom of Information Act

### Your responsibilities and obligations to freedom of information

If you are a public authority you have a legal obligation to provide information through an approved publication scheme and in response to requests. Find out what you need to do under the Freedom of Information Act 2000.



### Guide to Freedom of Information

The [Guide to Freedom of Information](#) explains your obligations under the Act, answers many frequently asked questions and gives practical examples to illustrate how to apply the Act in practice.

### Guidance index

View a full list of our [freedom of information guidance](#).

### Specialist guidance

We have published [specialist guidance](#), including our detailed knowledge base, an internal resource which gives the ICO's position on many of the issues we deal with, and sample questions we ask public authorities.

# Starting points

Text size [A](#) [A](#) [A](#) Colour     Accessibility Statement Cymraeg Site search

 **Equality and Human Rights Commission** Equality Advisory Support Service  
Creating a fairer Britain

[Home](#) [About us](#) [Human rights](#) [Key projects](#) [Advice and guidance](#) [Legal and policy](#) [Publications](#)

Home ▶ Human rights ▶ What are human rights? ▶ The Human Rights Act

**What are human rights?**

[The Human Rights Act](#)

- Right to life
- Protection from torture and mistreatment
- Right to liberty and security
- Protection from slavery and forced labour
- Right to a fair trial
- No punishment without law

## The Human Rights Act

The Human Rights Act 1998 (also known as the Act or the HRA) came into force in the United Kingdom in October 2000. It is composed of a series of sections that have the effect of codifying the protections in the European Convention on Human Rights into UK law.

All public bodies (such as courts, police, local governments, hospitals, publicly funded schools, and others) and other bodies carrying out public functions have to comply with the Convention rights.

This means, among other things, that individuals can take human rights cases in domestic courts; they no longer have to go to Strasbourg to argue their case in the European Court of Human Rights.

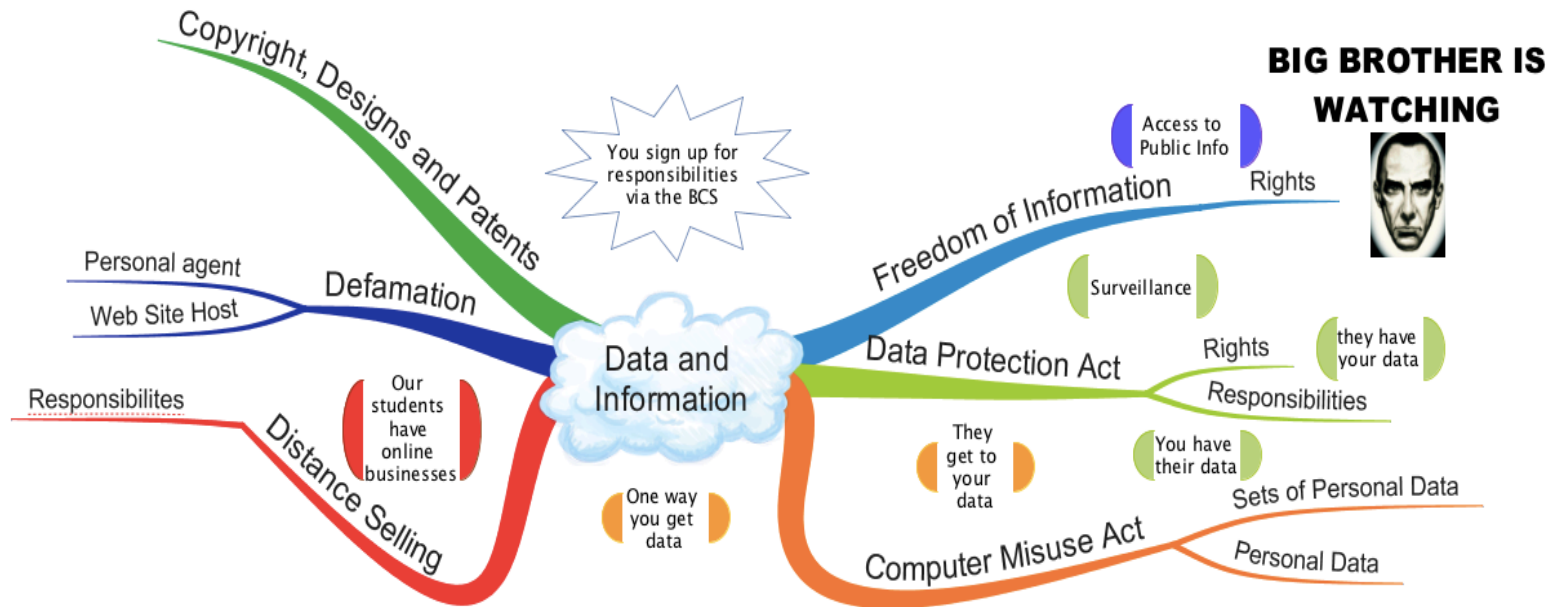
The Act sets out the fundamental rights and freedoms that individuals in the UK have access to. They include:

- **Right to life**


Print this page at standard size



# Data and Information



# Think about a bigger picture...



[Home](#) > [Businesses and self-employed](#)

## Sale of goods and services and data protection

[Find your local Trading Standards office](#)  
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[Business Link Helpline](#)  
Get business support and advice over the phone - starting up and running a

Build up your knowledge step by step



# REMINDERS: MODULE OVERVIEW

## Work smarter not harder

- Intellectually
  - Understand your motivations
- Imaginatively
  - Develop and use your creativity and imagination
  - Make your tasks enjoyable
- Intuitively
  - Learn to know what works for you

## Approaches

- Pareto principle
  - 20% of the effort produces 80% of the result
  - ... but think about it logically, rationally
- One touch
  - Capture all the necessary information in a single touch

# Work smarter not harder

# The presentation topics relate to the syllabus..

You will become a specialist

- Use your presentation to understand content, context and perspectives as well as develop skills
- Many of the other presentations will have content which relates to the exam topics, pay attention 😊

## Formal/timetabled

- Lecture
  - The big picture
  - Pacing
- Blackboard
  - Links and references

## Informal/un-timetables

- Out of class
  - Take the quizzes
  - Watch videos
  - Read overviews
  - Work through tasks
  - Think and discuss
  - Prepare assessments
  - Prepare for examination

Objective:  
knowledge, skills and understanding

# Overview: working method

# Reminder: rationale of the structure

Guidance and prompting

**Plus...** directing you to a realistic/sustainable approach

This is not the same as coding, maths or other 'hard' subject areas

But it is **very relevant** to your degree...

... and the approach is relevant to future study and work

- Find out, think about, re-present
- Work in groups
- Find your strengths
- Overcome your weaknesses
- Enjoy yourselves

## Quiz

- You will be invited to respond to a short survey/quiz (midweek)
  - Designed to find calibrate
    - The progress you have made so far
    - Your familiarity with topics we are going to study
    - Your familiarity with the topics within the exam
    - The way which you are relating COMPI205 to the rest of your studies

## Quiz notes



Your responses will be anonymous

But

I can send you reminders

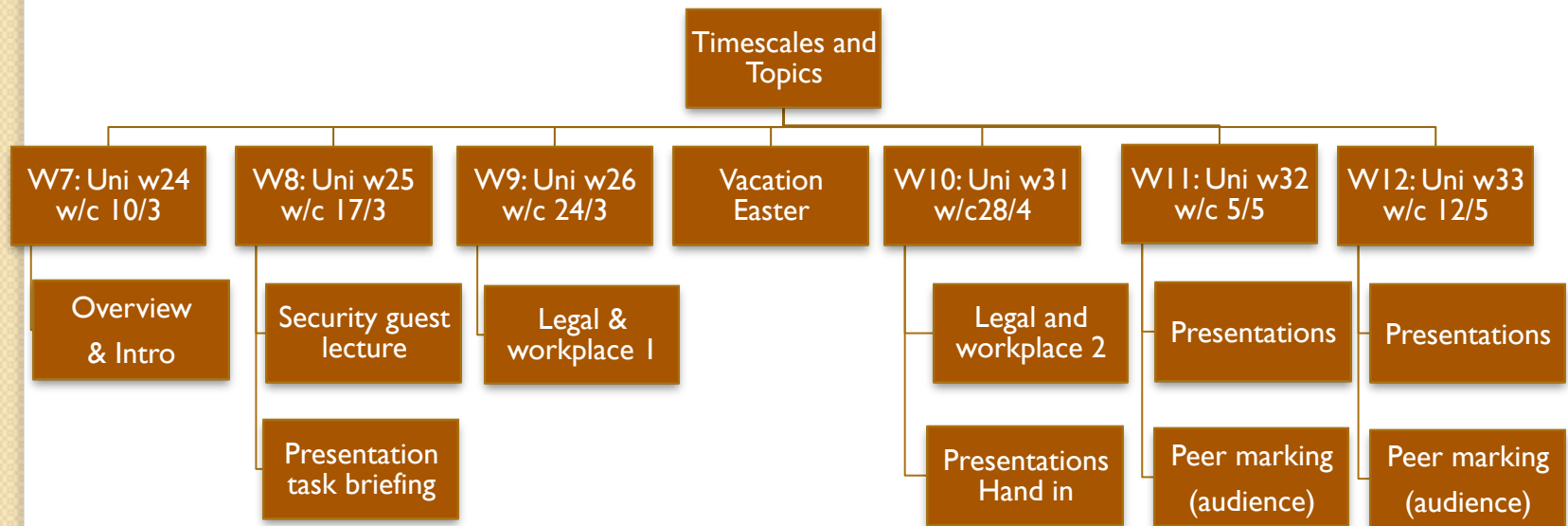
...

If you have not completed the task

# Before next week



# Overview: timescales and topics



Overview of entire module by multiple choice exam

Ethics and Professionalism are threads which run throughout the module

# Thank you ;-)

Su White

- [saw@ecs.soton.ac.uk](mailto:saw@ecs.soton.ac.uk)
- +44 (0)23 8059 4471
- <http://www.ecs.soton.ac.uk/~saw>

# Tasks: Other key areas

Copyright Design and Patents Act

Review the slides, make notes

- Related slides – rights and ownership online

<http://www.edshare.soton.ac.uk/9939/>