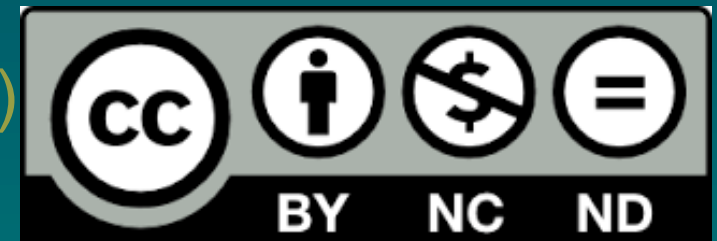


Legal, Ethical and Professional Perspectives (LEPP)

Dr Su White

Professional development (COMP1205)



guidance

OVERVIEW, PRINCIPLES



High Level Objectives

Why we are here

- To produce the best informed most widely educated CS and IT graduates in the country!
- To help you better understand how you address 'fuzzy' tasks which complement your technical skills
- To help you learn how to argue and express yourselves with informed insight on current legal, ethical and professional
- Make it a worthwhile use of your time (for you and me!)

Give you an informed perspective overall – and specifically for for your group presentations and your individual Technical Reports

What are the Intellectual Challenges?

Intellectual Challenges

- Research
- Identifying new knowledge
- Disseminating new knowledge
- Integrating new knowledge
- Building theory

Embrace a different world view

- Outside your comfort zone
- Requiring different approaches to thinking
- A world where Truth is 'negotiable'
- Work across disciplines

Independent working , critical thinking, moving outside your comfort zone

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

Follow up: Dan Pink – RSA Animate, see refs and links

There are supporting materials

The screenshot shows the EdShare interface for a resource titled "COMP1205 LEPP1&2: Overview, Data, Information and Life in a Connected World". The page includes a navigation bar with "Home", "Browse", "Share", "About", and "Help". A search bar is located in the top right. Below the navigation bar, there are links for "Profile", "Share manager", "Bookmarks", "Saved searches", and "Logout".

The main content area is divided into several sections:

- Description:** Contains "Notes, slides, links".
- Resource details:** Lists "Added By: Dr Susan White", "Added On: 08 Nov 2015 13:43", "Creators: Su White", "Tags: Legal issues, professional issues, ethical issues", "Course codes: COMP1205", "Permissions: World", and "Link: http://www.edshare.soton.ac.uk/15492/".
- Downloads:** Includes input fields for "Downloads" and "Views".
- Toolbox:** Offers actions like "Edit item", "Bookmark this item", "Download as zip", and "Use as template".
- Notes:** A section titled "Notes PDF" with a "Download" button, showing three files: "Notes", "Slides.pdf", and "Slides".
- Comments & Notes:** A section with tabs for "Comments" and "Notes", and an "Add Comment" button. A message at the bottom states "There are no comments for COMP1205 LEPP1&2: Overview, Data, Information and Life in a Connected World."

Thinking space...

SO WHAT IS OUR FOCUS?

Thinking time

- Class exercise
- What are the key legal issues?
- Think, pair, share

Follow up questions (for reflection)

- What do you think is the extent of legal and ethical perspectives?
- Where and how might this be relevant in the remainder of your degree?

Establish your own method of organising the topics e.g.

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

professional and legal issues might include

A word cloud containing various terms related to professional and legal issues. The words are arranged in a roughly rectangular shape, with some larger and some smaller. The terms include: intellectual property, creative commons, e-commerce, environment, freedom of information, green ICT, code of conduct, open data, professionalism, open source, employment rights, e-government, digital futures, accessibility, employment rights, equality, file-sharing, globalisation, semantic web, security, defamiation, academic ethics, outsourcing, inclusivity, linked data, computer crime, localisation, professional bodies, health and safety, civic duty, libel, digital rights management, free speech, surveillance, social enterprises, data protection, hacking, responsibility, digital divide, pornography, discrimination, privacy, censorship, morals, ethics, copyright.

Legal & professional

- Why does it matter?
 - Your degree is accredited
 - Employers expect awareness
 - Choose the workplace which suits you
 - Think forward
- NOTE
- You are not expected to
 - be a lawyer
- You are expected to
 - demonstrate and awareness of laws which impact on the workplace

How you will know, how we will know

- Self check
 - Confidence
 - I have reviewed the slides
 - “I have watched the videos”
 - “I have read the notes”
 - “I have tackled the tasks”
 - “I have worked out how it is relevant to my plans”

Legal & professional

HOW TO APPROACH THE TOPICS

Take ownership

- What do you want to do?
- What CS/IT areas really interest you?
- Identify the topics where you plan to be an expert
 - This is a project for the whole of your degree
 - Explore, discuss, share develop your curiosity
 - If you can...
 - Prepare now for your final year project
 - Prepare now to know about your dream job

Our focus

- Legislation of which you must be aware:
 - Data and Information
 - Workplace
 - Intellectual property
- Ethical frameworks:
 - Understanding or developing your own framework
 - Understanding external frameworks which might bind you

Your task

To integrate your understanding in a useful and meaningful way

You are not learning to be a lawyer

But with this module

- develop some legal awareness
- think about your rights
- think about your responsibilities
- Identify your personal ethical perspectives

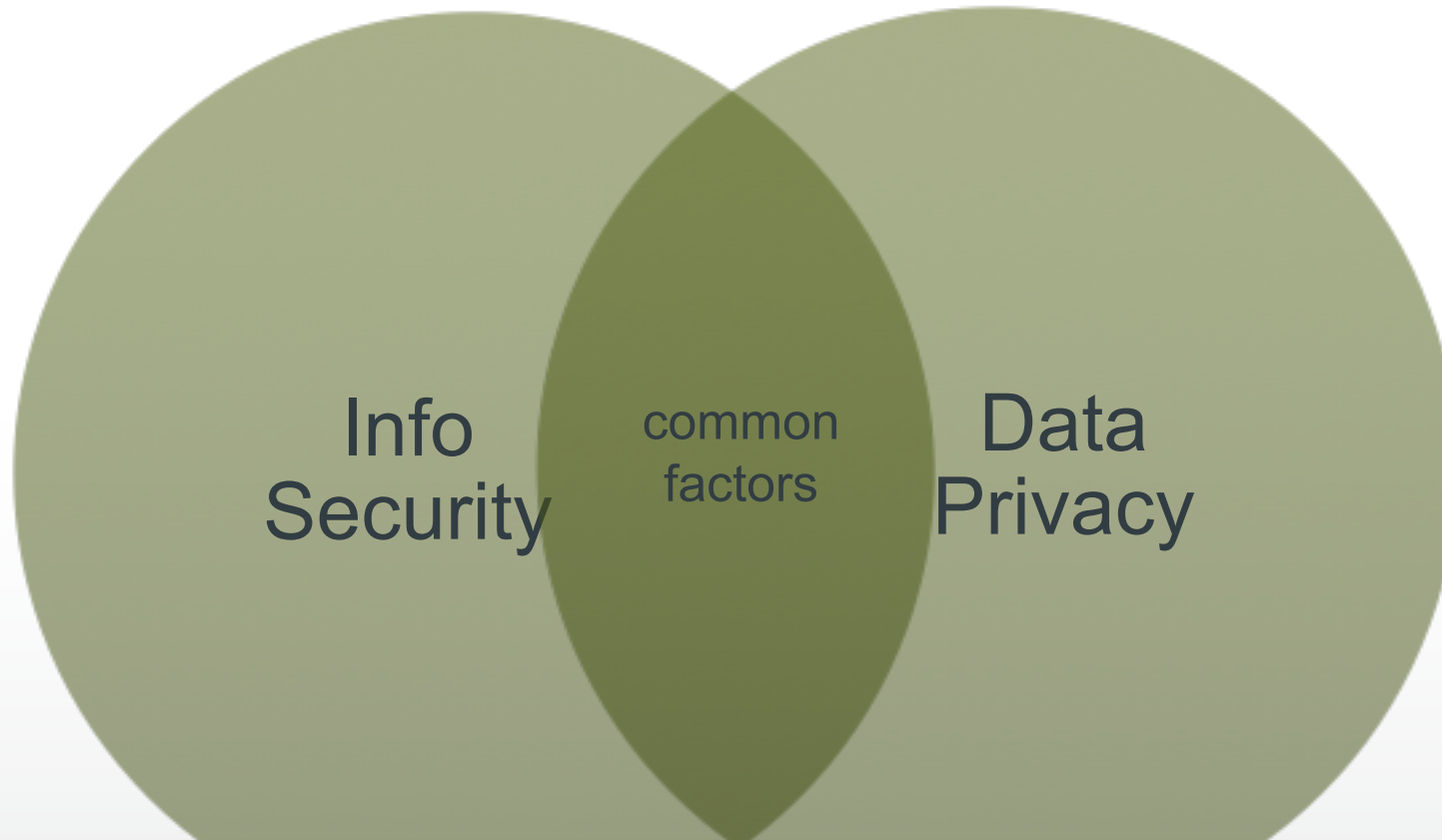
Data, information and life
in a connected world

Workplace perspectives on
data, information and life in
a connected world

Understand the extent of the area



Example: power & responsibility

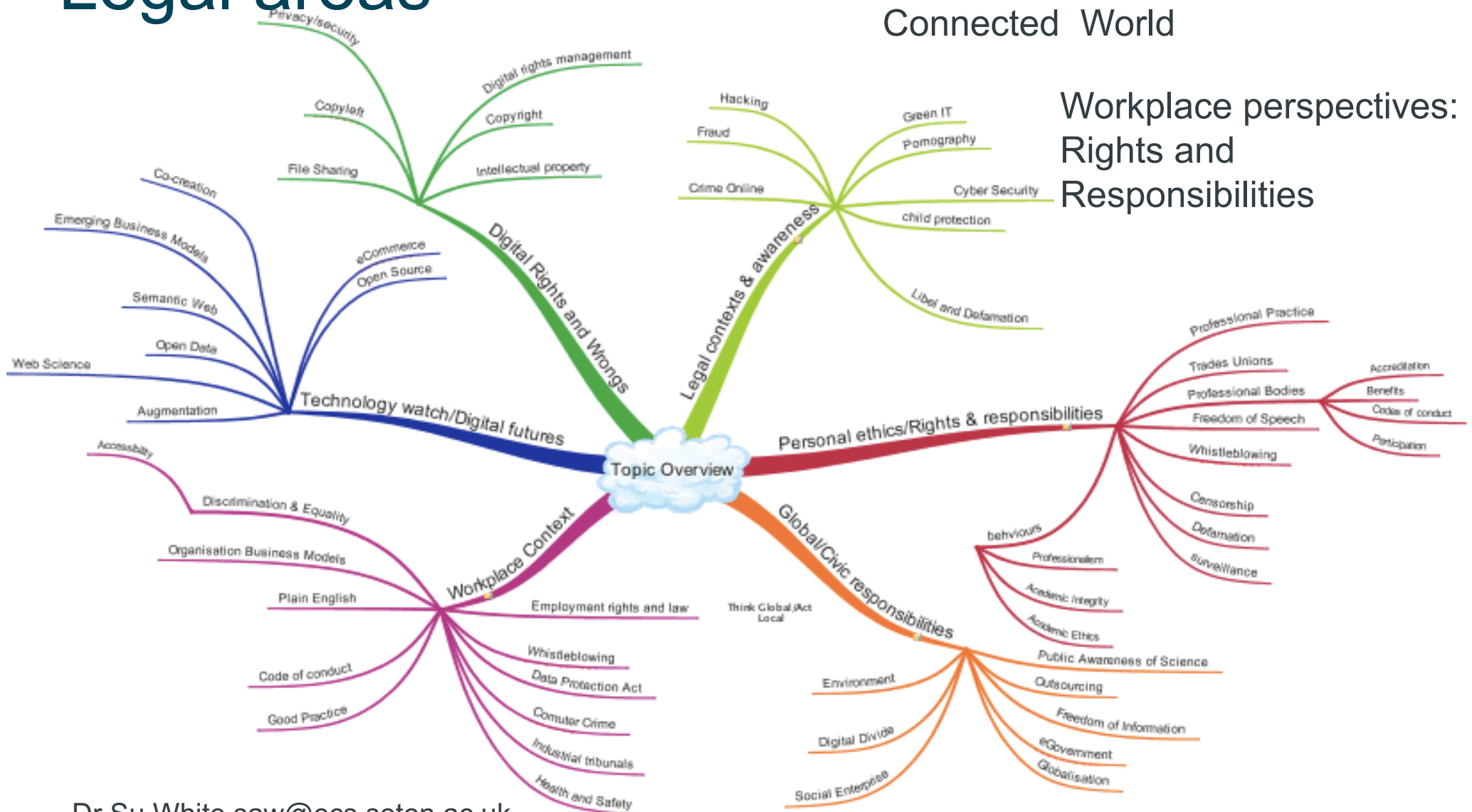


Find the sweet spot between your developing technical expertise and a reflection on the implications of your behaviours or approach

Legal areas

Information, Data and Living in a
Connected World

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

Index – read, watch, discuss, understand

- Types of law in the UK
- IT professional perspective
- Online communications and legislation
- Data Protection
- A model for self study
- Specific Tasks

Method is relevant to your group research and will be relevant to your technical reports

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
- 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

The screenshot shows the UK Parliament website (www.parliament.uk) with a navigation menu and a search bar. The main content area is titled 'Bills & legislation' and includes several sub-sections: 'Bills before Parliament', 'Draft Bills before Parliament', 'Secondary Legislation', and 'Acts of Parliament'. Each section contains a brief description and a list of links. A sidebar on the right provides information on 'How does a Bill become law?' and 'Bills v Acts'.

www.parliament.uk

Accessibility | Cookies | Email alerts | RSS feeds | Contact us

Home | Parliamentary business | MPs, Lords & offices | About Parliament | Get involved | Visiting | Education

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

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 1998 and all Local (Private) Acts from 1991 as they were originally enacted

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

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

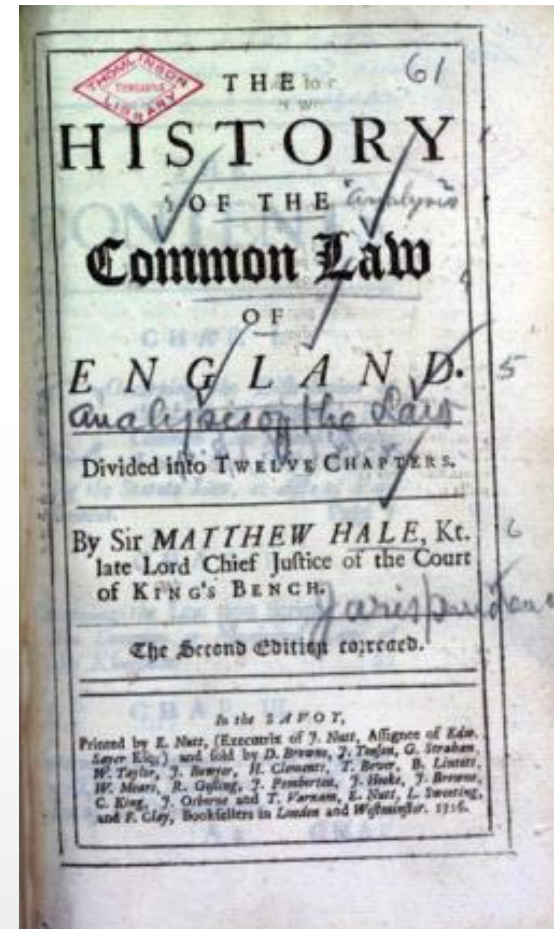
Historical roots

- 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 website's 'International Treaties' page. The page header includes the INTA logo and navigation links like 'About', 'Global Trademark Resources', and 'Fact Sheets Cross-Border Topics'. The main content area features a green wireframe globe graphic and a list of international treaties affecting trademarks. The list includes:

- 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.

The page also includes sections for 'Why are international treaties adopted?' and 'The Paris Convention', which details the creation of a legal entity (WIPO) and national treatment provisions.

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 (NI only)
- Digital Economy Act 2010
- NB: Digital Economy Bill 2016-17
- 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

Remember – legislation is being revised as we study, and as your degree progresses the Crown Prosecution Service may be valuable in checking out current guidance <http://www.cps.gov.uk/legal/>

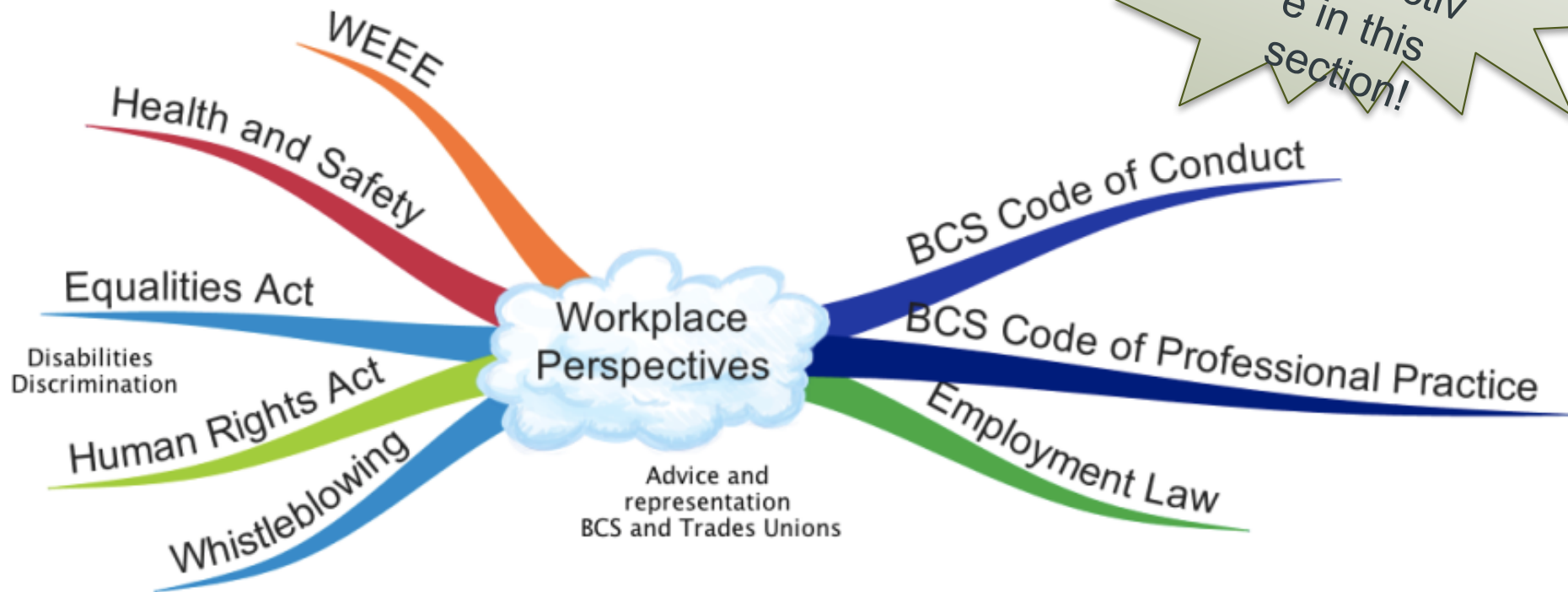
The focus for this module

WAYS OF LOOKING AT UK LAW AS AN IT PROFESSIONAL

Data & Information perspectives (1&2)



Workplace Perspectives (3&4)



You have to understand

Topics:

Hacking (see also privacy, security)

Communications Act 2003 section 127
(Came into force 25th July 2003 replaced
s43 Telecommunications Act 1984)
Computer Misuse Act 1990

Copyright, Digital Rights Management and IPR

Copyright design and patents Act 1988
Digital economy Act 2010

Green IT

Waste Electrical and Electronic Equipment
(WEEE) Regulations

Freedom of Information

Freedom of Information Act 2000

Freedom of Speech

Human rights act 1998

Harassment, Bullying

Malicious Communications Act 1988
section 1
Harassment protection act 1997
Defamation Act 1996

Privacy, Security, Surveillance

Regulation of Investigatory Powers Act
2000
Data Protection Act 1998

Whistleblowing

Public Interest Disclosure Act 1998

Remember – legislation is being revised as we study, and as your degree progresses
e.g. check <http://www.harassmentlaw.co.uk/> for updates wrt harrassment

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 due to:

- Moral panic

May need refinement

- Appeals, civil action to augment legislation
- Examples
 - Malicious hacking
 - Technological attack (viruses)
 - Perceived social threat

Legislation as response to change

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

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

There are widespread criticisms of UK IT legislation
see for example the report: Policing in an Information Age, Bartlett et al, 2013 Demos
available from the Mendeley Group for COMP1205

<https://www.mendeley.com/groups/3137931/comp1205/papers/>

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 alleged crime

Further offence

- If (having gained unauthorised access) facilitate the commission of an offence

It is 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

Anticipating independent study

DATA PROTECTION ACT

DPA videos: <http://www.edshare.soton.ac.uk/10483/>

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 focus you on the topic under discussion 😊
- To develop your critical thinking

Where to find the answers...

DATA PROTECTION ACT (1998) PROBABLY OTHER SOURCES...

Where? ...basics

Government Legislation

- Data Protection Act

Read and understand



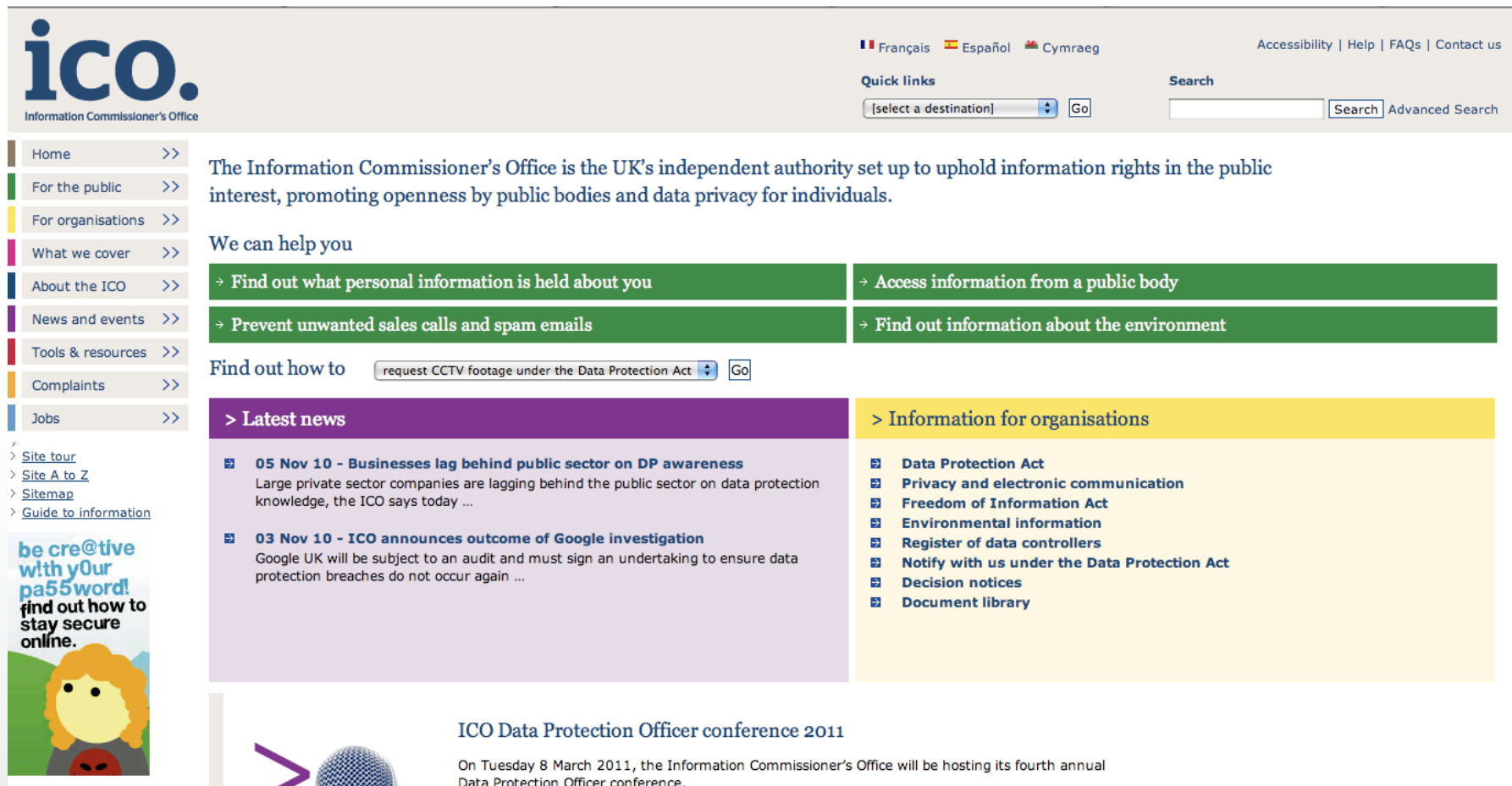
Set book (library)

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

Other Sources

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

ICO web site



The screenshot shows the homepage of the Information Commissioner's Office (ICO). At the top left is the 'ico.' logo with 'Information Commissioner's Office' underneath. To the right are language options for Français, Español, and Cymraeg, and links for Accessibility, Help, FAQs, and Contact us. Below the logo is a navigation menu with items like Home, For the public, For organisations, What we cover, About the ICO, News and events, Tools & resources, Complaints, and Jobs. A search bar and a 'Quick links' dropdown are also present. The main content area features a mission statement, a 'We can help you' section with four green buttons, a 'Find out how to' search bar, and two columns of links: 'Latest news' and 'Information for organisations'. A banner at the bottom promotes the 'ICO Data Protection Officer conference 2011'.

ico.
Information Commissioner's Office

Fransais Español Cymraeg

Accessibility | Help | FAQs | Contact us

Quick links

Search

[select a destination] Go

[Search] Advanced Search

Home >>

For the public >>

For organisations >>

What we cover >>

About the ICO >>

News and events >>

Tools & resources >>

Complaints >>

Jobs >>

> Site tour

> Site A to Z

> Sitemap

> Guide to information

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

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

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.

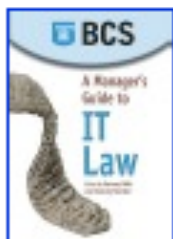
<http://www.ico.gov.uk/>

Gov.uk

The screenshot shows the Gov.uk website interface. At the top, there is a black navigation bar with the 'GOV.UK' logo on the left and a search box on the right. Below the navigation bar, a breadcrumb trail reads 'Home > Crime, justice and the law > Your rights and the law'. The main content area is titled 'Guide' and 'Data protection'. On the left side, there is a sidebar with a 'Printer friendly page' link and a list of parts: 'Part 1 The Data Protection Act' (highlighted), 'Part 2 Find out what data an organisation has about you', and 'Part 3 Make a complaint'. The main content area is titled 'Part 1 The Data Protection Act' and contains the following text: '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:'. Below this text is a bulleted list of principles: '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', and 'not transferred outside the UK without adequate protection'.

Further sources?

- Search YouTube
 - But make sure you use your critical faculties!
- 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 screenshot shows a YouTube video player for the video 'The Data Protection Act' by user 'connernudd10'. The video has 3,604 views and was uploaded on February 25, 2009. The video content includes text: 'This is where the data protection act comes in...', 'The Data Protection Act (DPA) is a law designed to protect personal data stored on computers.', and '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'. A comment from user 'MultiV3000' is visible, stating: 'he locked into my personal file can he do it without permission.' and '@MultiV3000 theoretically the person can't do it, if the person has done it for legal reasons they still should'. The video player interface shows a progress bar at 1:03 / 2:55, a 360p resolution, and various interaction buttons like Like, Add to, Share, and Embed. The right sidebar shows suggestions for related videos such as 'Computer Backup', 'The Data Protection Act (DPA) 1984 and 1998', and 'Computer Misuse Act 1990'.

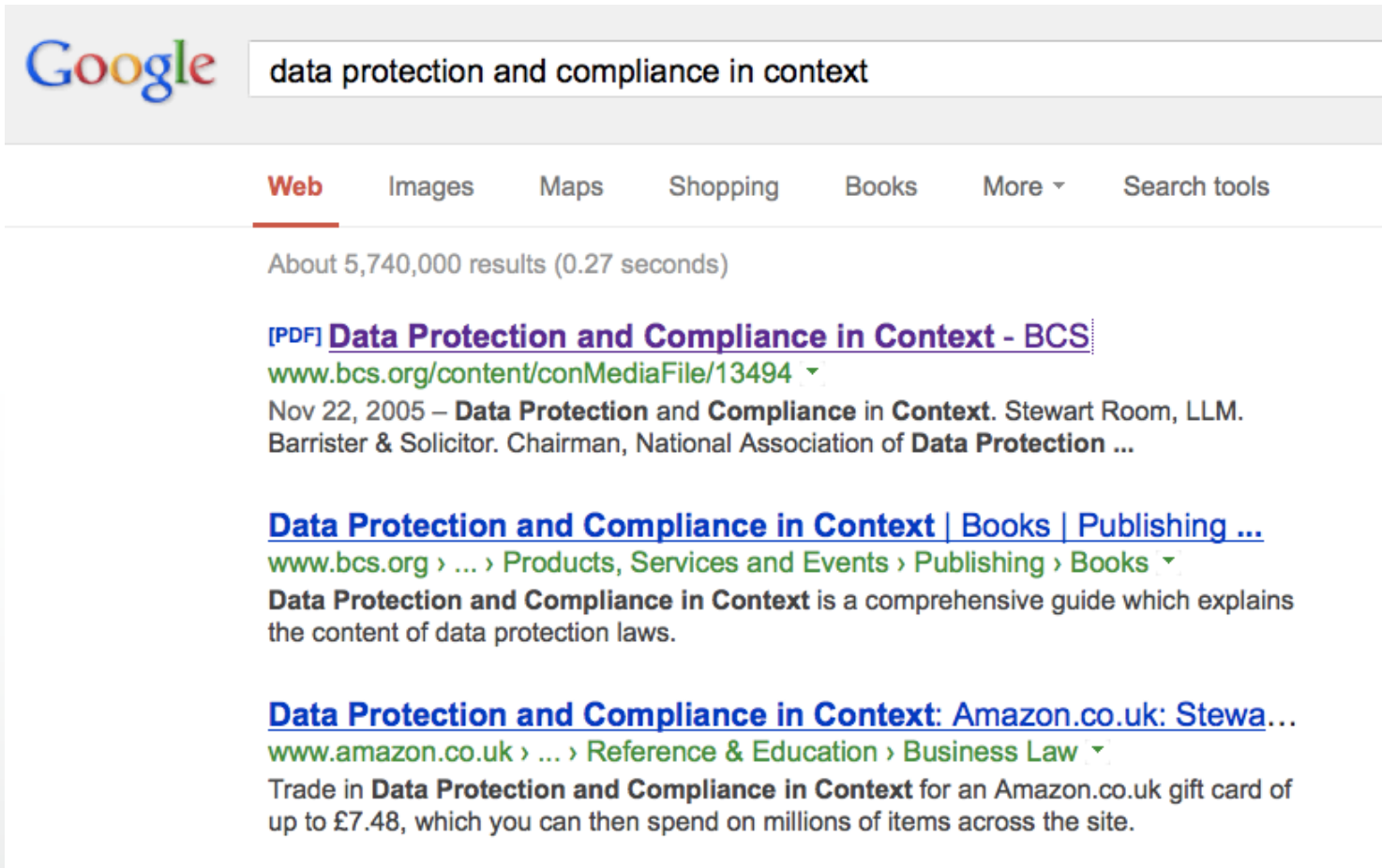
<http://bit.ly/9DHj2c>

BCS – book details + download

The screenshot shows the BCS website interface. At the top left is the BCS logo and tagline 'The Chartered Institute for IT Enabling the information society'. Navigation links include Home, About BCS, Contact & Help, and Login. A search bar is present. A menu bar highlights 'Products, Services and Events'. The breadcrumb trail reads 'Your location: Home > Books > Data Protection and Compliance in Context'. A left sidebar lists various categories, with 'Books' selected. The main content area displays the book title 'Data Protection and Compliance in Context' by Stewart Room, with prices in Standard (£35.95), Euro (€55.95), and US Dollars (\$59.95). It includes an 'Order online' link and a list of topics covered: explaining data protection laws, providing advice on privacy under the Data Protection Act, and offering a platform for compliance strategies. A description states that the book covers information processing from collection to final deletion. The author, Stewart Room, is identified as the National Chair of the National Association of Data Protection and Freedom of Information Officers. A 'Downloads' section offers a PDF 'Take a look' which includes contents, the first chapter, and the index. A book cover image shows the title and a padlock icon.

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

Google it!



The screenshot shows a Google search interface. The search bar contains the text "data protection and compliance in context". Below the search bar, the "Web" tab is selected. The search results show approximately 5,740,000 results found in 0.27 seconds. Three results are visible:

- [PDF] Data Protection and Compliance in Context - BCS**
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 › ... › 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 › ... › 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?

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

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

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

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

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

There are some related resources in EdShare

The screenshot shows the EdShare website interface. At the top, there is a blue header with the 'EdShare' logo and the 'UNIVERSITY OF Southampton' logo. Below the header is a navigation bar with links for 'Home', 'Browse', 'Share', 'About', and 'Help'. A search bar is located on the right side of the navigation bar. Below the navigation bar is a secondary navigation bar with links for 'Profile', 'Share manager', 'Bookmarks', 'Saved searches', and 'Logout'. The main content area features a title 'Data Protection Act links to film, slides, questions; overview notes'. Below the title is a preview of the resource, which includes a video player and a description. The video player shows a woman speaking, and the description text reads: '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)'. To the right of the video player is a microphone icon. Below the video player is a section titled 'Advice for reuse' which says 'use in conjunction with slide set, questions'. At the bottom right of the resource page is a section titled 'Resource details' which lists 'Added By: Dr Susan White', 'Added On: 22 Oct 2012 14:29', 'Creators: Su White', and 'Tags: Data Protection Act, Legal Issues'.

<http://www.edshare.soton.ac.uk/9625>

Related topics...

- Privacy and Ownership

- Privacy

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



Pointers **plus private study**

How to follow up these slides

A MODEL FOR SELF 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/>



**Relevant to
your
technical
report**

Conducting private study

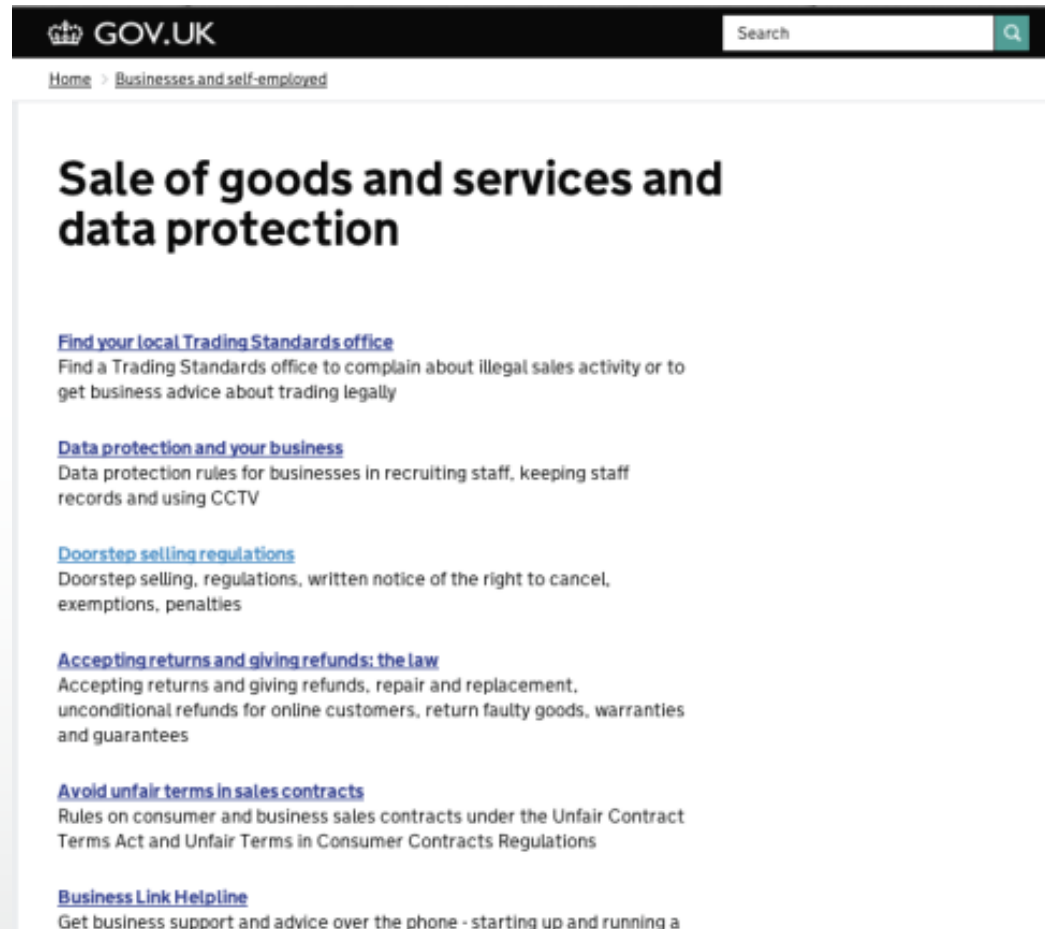
Find Information

- 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
 - Peer review groups

Think about a bigger picture...



The screenshot shows the GOV.UK website interface. At the top, there is a black navigation bar with the GOV.UK logo on the left and a search bar on the right. Below the navigation bar, the breadcrumb trail reads 'Home > Businesses and self-employed'. The main content area features a large heading 'Sale of goods and services and data protection'. Underneath this heading, there are several links to related topics, each followed by a brief description:

- [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 screenshot shows the ICO website header with the logo and tagline: "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." A search bar is visible on the right.

The left sidebar menu includes: Home, For the public, **For organisations** (highlighted), Data protection, Privacy and electronic communications, **Freedom of information** (highlighted), The Guide, ICO specialist guidance, Environmental information, INSPIRE Regulations, Sector guides, Guidance index, and 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

The screenshot shows the website for the Equality and Human Rights Commission. At the top, there is a navigation bar with options for text size, color, accessibility statement, and a site search box. The main header includes the organization's name, 'Creating a fairer Britain', and 'Equality Advisory Support Service'. Below this is a menu with categories like Home, About us, Human rights, Key projects, Advice and guidance, Legal and policy, and Publications. The current page is 'The Human Rights Act', with a breadcrumb trail: Home > Human rights > What are human rights? > The Human Rights Act. On the left, there is a sidebar with a 'What are human rights?' section and a list of rights including 'Right to life', 'Protection from torture and mistreatment', 'Right to liberty and security', 'Protection from slavery and forced labour', 'Right to a fair trial', and 'No punishment without law'. The main content area features the title 'The Human Rights Act' and a detailed introduction: '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:'. A 'Right to life' item is listed below. On the right, there are 'Print', 'Share', and 'RSS' icons, and a note to 'Print this page at standard size'.

Data and Information (1&2)



Think about your ambitions...

BUILD UP YOUR KNOWLEDGE STEP BY STEP

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

Follow up: Dan Pink – RSA Animate, see refs and links

Before next week

SPECIFIC TASKS

- Watch, visit, study, review

DPA...



Data Protection Act
(from the ICO)

“The lights are on”

<http://youtu.be/wAe4358amJc>

“Data Day Hygiene”

<http://youtu.be/CdYWoLC7TNI>

Tick Tock

<http://youtu.be/Tdff6UPzvDQ>

Visit and study

Information Commissioners Office

http://ico.org.uk/what_we_cover/legislation

Independent Study

Watch

- RSA Animation on Motivation
 - <http://youtu.be/u6XAPnuFjJc>

Investigate

- Matt Syed: Bounce the myth of talent <https://youtu.be/njae5qGhxEw>
 - <http://www.matthewsyed.co.uk/>
- Carol Dweck:
 - Mindsets <http://mindsetonline.com/>

*Use your judgment to decide how carefully you work on a video, reading or task
remember keeping up to date helps meet all of your deadlines*