

Information Management Matters

An introduction to data protection, freedom of information and records management for all staff

Whatever your role in the University, you may need to handle information about people, someone may ask you for information, or you will need to organise information and find it quickly.

This leaflet gives an overview of how you are affected by the Data Protection Act 1998 and the Freedom of Information Act 2000, and highlights how good records management can benefit you.





Data Protection

The Data Protection Act applies to *personal data* ie information about an identifiable, living person. The Act covers manual and paper records as well as those held on computers, including expressions of opinion in e-mails. The Act allows individuals access to their personal information held by the University and regulates the University's collection and use of this information.

Eight data protection principles must be fulfilled whenever University employees process personal data. These principles cover things like security, accuracy and fairness in processing information. A full list of the principles is included in the UWE Data Protection Guidance for Employees at: <http://www.uwe.ac.uk/finance/sec/dp/intranet/docs/DPLleaflet2.pdf>.

When processing sensitive personal data eg concerning an individual's ethnic origins, health, or religious beliefs, more stringent security measures should be put in place to prevent unauthorised or accidental processing or disclosure.

When you are handling information about living, identifiable individuals, please remember:

- Individuals have the right to ask to see any information the University holds about them. If someone asks to see their personal information, please refer them to Financial Services (ext 82607) or alternatively ask them to complete the data subject access form at: <http://www.uwe.ac.uk/finance/sec/dp/intranet/docs/DPLUAccess.pdf> and send it to the Assistant Vice Chancellor, Finance and Commercial Developments (Financial Services). The University has 40 days to respond to such requests.
- When collecting personal data from any medium, including via the Internet, consent to process must be obtained from the individual concerned. A data protection disclaimer stating the reasons for collecting the information and to whom the data will be disclosed should be included. The individual's consent to process should then be confirmed either by their signature or a web site tick box.
- Use appropriate security measures to protect personal data from accidental or deliberate unauthorised access. Guidance on "Data Protection, Sensitive Data, Encryption and Data Security" is at: <http://www.uwe.ac.uk/finance/sec/dp/intranet/docs/DPdataSecurity.pdf>.
- Do not transfer personal information outside the European Economic Area, including publishing personal information on the Internet, without safeguards.
- You must not keep personal data for longer than is necessary.
- Guidance on what to do when you receive enquiries about students from a third party is at: <http://info.uwe.ac.uk/secretariat/>



Freedom of Information

The Freedom of Information Act promotes greater openness and accountability by giving anyone the right to access information held by the University in any format, including paper files, word-processed documents, e-mails, other data and handwritten notes of all types. It also requires the University to manage its records in line with good practice and to adopt a publication scheme that sets out standard information available.

If you receive a non-routine written enquiry, treat it as a freedom of information request even though it might not mention freedom of information explicitly. The University is obliged to respond within 20 working days of receiving it and you are therefore urged to consult the Secretariat as soon as you can.

To help the University stay inside the law, please remember:

- We have a maximum of 20 working days to answer any request for information.
- If a request concerns your area and is for straightforward information that can be released, send it as soon as you can.
- If the request includes personal information, consult the Secretariat or the Data Protection Officer for advice.
- Contact the Secretariat about any other requests and particularly if you are unsure about any aspect or if it does not relate to your area of work.
- Some particular information might be exempt from disclosure.
- Create clear and professional information as all work documents, e-mails etc could be released under an information request.
- Make your information accessible so that requests can be answered in your absence.

Environmental Information Regulations (EIR)

The Environmental Information Regulations 2004 (the "EIR") give rights of public access to environmental information held by the University. As with requests under the Freedom of Information Act, you generally have 20 working days to provide the information.

There are some differences which include:

- EIR requests can be made verbally and it is important that they are logged;
- The charging regime is different;
- It is presumed that the information will be disclosed, although there are exceptions which can be applied in conjunction with a public interest test.

Records Management

Records management is about how we organise information. Good records management:

- Helps you do your job better. It improves efficiency because you can find the information you need when you need it.
- Ensures that good quality information is provided to decision makers, so that the University can achieve the goals in its Vision and Mission <http://www.uwe.ac.uk/aboutUWE/strategy/vision.shtml>;
- Reduces storage costs, as you keep records only as long as the University's Records Retention Schedule specifies: http://imp.uwe.ac.uk/imp_public/displayentry.asp?URN=5230;
- Promotes information sharing in a responsible way, so enhancing knowledge exchange and collaborative working;
- Gives you confidence that you have the correct version and can provide evidence if needed by a court of law.

Records management underpins data protection, freedom of information and environmental information regulations compliance by guaranteeing the safety and reliability of data and enabling you to respond quickly and efficiently to information requests.

Further Information

Information on data protection is at: <http://www.uwe.ac.uk/finance/sec/dp/>

Freedom of information is at: http://imp.uwe.ac.uk/imp_public/displayentry.asp?URN=3964

Records management is at: http://imp.uwe.ac.uk/imp_public/displayentry.asp?URN=1935

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