

## **Unit 226: Understand employer organisations**

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HANDOUT : DATA PROTECTION AND  
COPYRIGHT



# INFORMATION

- Business organisations hold a lot of confidential information.
- Disclosure of information to third parties may impact on
  - individuals
  - the organisation.



# PERSONAL DATA

Anything that identifies a living individual, eg name, contact details

Anything that can be related to a living individual, eg unique account number, showing the current salary of a job post when there is only one person carrying out that job.



# DISCLOSING PERSONAL INFORMATION

May result in

- ID or financial fraud
- unsolicited contact
- nuisance calls
- loss of customer/client trust.

As well as infringing the Data Protection Act.



# THE DATA PROTECTION ACT 1998

- Protects any living, identifiable individual from misuse or unauthorised disclosure of personal data.
- Also covers any expression of opinion about the individual.
- The Act covers both paper and computer files.
- Organisations holding personal data need to register with the Office of the Data Protection Commissioners.
- Individuals have the right to access and read the data held on them for a fee.



# PRINCIPLES OF THE DATA PROTECTION ACT

- Must be **obtained and processed fairly and lawfully**.
- Will be obtained and used for only one or more **specified and lawful purpose**.
- Should be **adequate, relevant and not excessive**.
- Should be **accurate and up to date**.
- Should **be kept no longer than the purpose(s) requires**.
- Data subjects (individuals) have the
  - **right to access** held about them
  - **right to prevent processing** that would cause damage or distress
  - **right to prevent processing for direct marketing purposes**
  - **right to compensation** if damage is suffered as a result of the Act not being followed.



# GENERAL MEASURES FOR THE SECURITY AND CONFIDENTIALITY OF INFORMATION

## Paper-based information:

- lockable filing cabinets
- confidential documents clearly marked
- with restricted circulation
- shredding of unwanted copies
- files not allowed off-site.

## Computer-held information

- adequate virus protection
- firewall
- access passwords
- back-up systems.



# COPYRIGHT AND INTELLECTUAL PROPERTY

**The Copyright Designs and Patents Act 1988** limits what you can copy or distribute to others.

An author automatically owns the copyright to any material/book they write provided 'they have expended more than negligible labour, skill and effort in the creation of the work'. (<http://www.ipo.gov.uk>)

You can only use extracts from the material or book under certain circumstances, eg if you acknowledge the source of the material, ie the author, the title, the date it was published and the publisher's name.

Photocopying is also not permissible unless the document or book states otherwise.

Using newspaper or magazine cuttings also requires the permission of the publication they appeared in.





# TYPES OF INTELLECTUAL PROPERTY

**The four main types of IP are:**

**patents** for inventions – new and improved products and processes that are capable of industrial application

**trade marks** for brand identity – of goods and services allowing distinctions to be made between different traders

**designs** for product appearance – of the whole or a part of a product resulting from the features of, in particular, the lines, contours, colours, shape, texture or materials of the product itself or its ornamentation

**copyright** for material – literary and artistic material, music, films, sound recordings and broadcasts, including software and multimedia.