

West Yorkshire Fire & Rescue Authority

Data Protection Policy

Data Protection Act 1998

The Data Protection Act 1998 replaces and extends the 1984 Act and places a legal obligation on persons who record and process personal information relating to living individuals. Although this area of law appears to be complicated, the Act simply requires that adequate controls exist to protect individuals from the consequences of poor quality information and / or misuse of information held about them. The Act does not affect the Authority using information, which does not directly, or indirectly identify an individual.

Whilst the 1984 Act dealt with automatically processed information including information processed on computer, the 1998 Act places additional obligations on those processing information contained in 'structured manual files'. It also applies to lawfulness and integrity of the CCTV systems operated by the Authority.

The term processing includes any function that can be performed using information and includes the actual disclosure of information. The Authority has introduced this Data Protection Policy for the information and guidance of Authority members, Authority employees and Authority residents.

Statement of Policy

It is the intention of West Yorkshire Fire & Rescue Authority to fulfil its legal obligations within the Data Protection Act 1998. The Authority will ensure that the Information Commissioner is properly informed of all notifiable uses of information and it will be necessary to conduct periodic reviews and update these register entries whenever necessary.

Individuals whose personal information is held and processed by the Authority can be assured that their information will be processed in accordance with the eight Principles of the Data Protection Act.

It is the aim of the Authority to ensure that all appropriate staff are properly trained, kept fully informed of their obligations under the Data Protection Act and that they are aware of their personal data protection liabilities. Any Authority employee deliberately acting outside their recognised responsibilities may be subject to the Authorities disciplinary procedures, including dismissal where appropriate, and possible legal action.

Roles and Responsibilities

As access to information is important we have nominated an Elected Authority Member to champion greater openness and accessibility.

The Director of Corporate Services is ultimately responsible for determining the policies that shall apply to information held by the Authority and for establishing

policies, procedures and guidance for administering and handling personal information.

Function Heads are responsible for ensuring that information held within their areas of responsibility fully complies with the policies and procedures set by the Director of Corporate Services.

Managers are responsible for ensuring that staff under their direction and control are aware of the policies, procedures and guidance laid down by the Director of Corporate Services and for checking that those staff understand and appropriately apply policies, procedures and guidance in carrying out their day to day work.

All staff are responsible for processing information in accordance with the Data Protection Act 1998 and the policies, procedures and guidance that are laid down by the Authority.

The Information Manager is responsible for administering all requests for information made to the Authority. The Information Manager will also provide a point of contact for all members of staff within the Authority who require advice on the Data Protection Act 1998. The Information Manager will also review and improve our records management policies and will where possible provide advice directly to staff on the Data Protection Act 1998 and records management.

It is the aim of the Authority to allocate such resources as may be required to ensure effective operation of the policy

Recording and Processing Personal Information

Fair Obtaining and Processing

West Yorkshire Fire & Rescue Authority will ensure that as far as practicable, all individuals whose details are processed by the Authority are aware of the way in which that information will be obtained, held and disclosed. Processing of personal information by the Authority will be fair and lawful and in addition it is Authority policy that individuals will not be misled as to the purposes for which the Authority will process the information.

Notification

The authority will not use or process information in any way that contravenes its notified purposes or in any way that would constitute a breach of the Data Protection Act. When appropriate, the Authority will notify the Information Commissioner of any amendments to the existing notified purposes or new purposes to be added to the Notification Register entry.

Information Quality and Integrity

The Authority will endeavour to process personal information, which is accurate, current and is of good quality. Information that is obtained by the Authority will not be excessive for the purpose for which it is processed. In addition information

will be kept by the Authority for no longer than is necessary for the purpose or purposes for which it was obtained.

Subject Access

The Authority will respond positively to subject access request, replying as quickly as possible, and in any event within the 40 day time limit. Whilst individuals have a general right of access to any of their own personal information, which is held, the Authority will be mindful of those circumstances where an exemption may apply. The Authority will only disclose information to those listed in the Notification Register, or where it is otherwise permitted by law to do so. The Authority will always endeavour to seek the permission of the data subject, where it is required by law to do so.