

A black and white line drawing of a city street with buildings and a stick figure thinking. The scene is viewed from a low angle looking down a street lined with various buildings. In the foreground on the left, a stick figure is shown in profile, scratching its head with a question mark above its head, suggesting confusion or a problem. Several speech bubbles are scattered throughout the scene, some near buildings and others in the air. The overall style is simple and illustrative.

# Data Protection

The Data Protection Act 1998

## People using O2 network to browse websites face mobile phone numbers privacy breach

Mobile phone users on O2's network have been inadvertently handing over their phone number to website owners

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Charles Arthur, technology editor

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[Article history](#)

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People using their mobile phone on O2's mobile networks in the UK to browse websites have been inadvertently handing over their phone number to the website owner.

The privacy breach means that site owners could be collecting the phone numbers of visitors which could then be used for telephone and SMS marketing without the phone owner's consent.

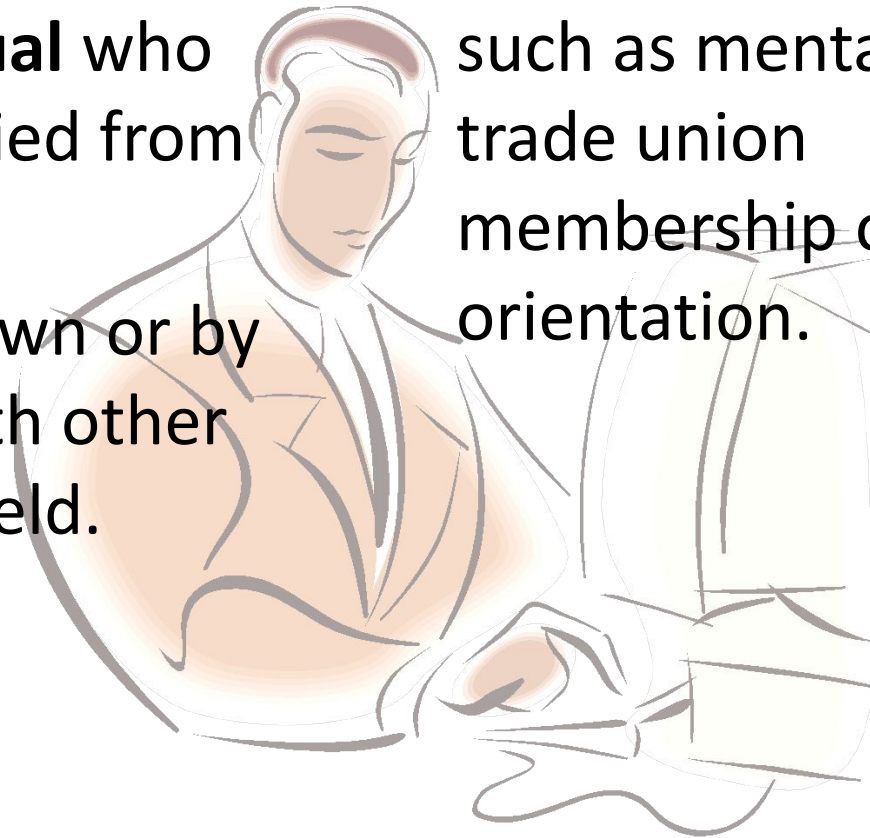
The [Information Commissioner's Office](#) said it is considering whether to investigate further, a spokesman said there was no immediate breach of the [Data Protection Act](#). A mobile phone number on its own is not classed as "personally identifying information" (PII), because it does not identify an individual on its own.

# The problem

- **Huge** amounts of data about you can be stored on computer, and easily searched. That data can be lost, stolen or transferred to another country easily.
- People need protection from **careless** or **inaccurate** processing of data about them, they also need to be able to see what data is being held about them.

# Personal and Sensitive information

- Personal
  - Data that relates to a **living individual** who can be identified from that data
  - Either on its own or by combining with other information held.
- Sensitive
  - Data about matters such as mental health, trade union membership or sexual orientation.





## Eight Principles - employer's responsibilities

- data must be collected and processed fairly and lawfully
- data may be collected and used only for specified and lawful purpose
- data must be adequate, relevant and not excessive
- data must be kept accurate and up-to-date
- data must not be kept longer than necessary
- data must be processed in accordance with the rights of subjects
- data must be kept secure against unauthorised processing, damage or loss
- data must not be transferred outside of the EU unless protection is adequate.

## **Subject's rights:**

- right of access to personal data - apply to the data controller in writing and usually pay a fee.
- the right to prevent processing that is likely to cause damage or distress
- the right to prevent processing for the purposes of direct marketing (opt out)
- the right to have inaccurate data corrected, blocked, erased or destroyed.

How much does it cost to get full access from the local council?

<http://www.westberks.gov.uk/index.aspx?articleid=4059>

# Fixing it



- An individual can ask the **Information Commissioner** to judge whether Data Protection has been breached
- They can go to **court** to get wrong information corrected, deleted or clarified
- They can get **compensation** for any harm (and associated distress)
- The court can also **prevent** processing that causes someone substantial harm
- The court can enforce **access** to the data

# Silly people abusing the Act – it happens

The ICO said that one mother had been unable to find out her daughter's flute exam results because the exams board would only send them to the person who had made the application to enter the exam, the girl's teacher.

The ICO said that this was the wrong approach. "The Act does not prevent the exam board from giving results to the student or her mother," said its guidance. "An exam board could ensure that the information is disclosed to the right person by sending it to the student's home address. It is clearly unfair and unnecessary that the student's mother in this case had to make a subject access request to discover her daughter's exam results – but at least data protection access rights made sure she got the information to which she was entitled."