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## ata Protection

The Data Protection Act 1998 governs the use of personal information by businesses and other organisations. Every business needs to comply with the act if they use personal information in their business. This is likely to include customer details, supplier information or records of employees. Facility Managers often find themselves managing databases or manual record systems containing such data.

Personal information is defined as “data which relates to a living individual who can be identified from those data, or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.”

If a Facilities team are processing personal information covered by the Act they must comply with the data protection principles. These require that personal information is processed fairly and lawfully in line with an individual's rights for one or more specified and lawful purposes, and not further processed in any way that is incompatible with the original purpose.

The processing must be adequate, relevant and not excessive as well as accurate and, where necessary, kept up to date. Data should be kept for no longer than is necessary for the purpose for which it is being used and kept secure with appropriate technical and organisational measures taken to protect the information.

The Information Commissioner is the UK's independent authority who upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals. The Data Protection Act also makes the Information Commissioner responsible for taking action to enforce compliance with the Act where appropriate and bringing prosecutions for offences committed under the Act (except in Scotland, where the Procurator Fiscal deals).

The Act also requires some organisations to notify the Information Commissioner what they use personal information for. The Information Commissioner maintains a register of this which is available to the public for inspection. There is an exemption from notification for organisations that process personal data only for their accounts, staff and payroll administration, and their own advertising, marketing and public relations, along with a number of other specialist circumstances.

*The Information Commissioner's Office [www.ico.gov.uk](http://www.ico.gov.uk) provides advice and guidance on all matters to do with the Data Protection Act. The Register is online for viewing at the same site.*