

Data Protection Act Registering for Data Protection

The Data Protection Act 1998 details the statutory requirements of all businesses processing personal data to register.

The register is available for public inspection and can be found at

http://www.ico.gov.uk/tools_and_resources/register_of_datacontrollers.aspx

Failure to notify is a criminal offence.

Any records including manual records, (but not a works diary or schedule of works) must be registered.

Registration can be done via

- Internet
- Postal – Request for Notification Form
- E mail: data@notification.demon.co.uk
- Telephone via the notification line: 01625 545740

<http://www.ico.gov.uk/>

The Data Protection Register issues an excellent Handbook that contains all the forms and details required for registration.

Changes to the notification fee structure came into effect from 1 October 2009.

All new notifications received from data controllers on or after 1 October 2009 are subject to new regulations and data controllers are required to assess which tier they fall within and the fee they are required to pay for notification.

The notification helpline on 01625 545740 can provide further guidance.

When completing the application the data controller (i.e. Sole Trader, Partnership, Limited Company, Group of Companies, Other Organisations) must describe the processes used to handle the personal data.

Only one notification is required per legal entity. This will cover any number of different branches or addresses where the data is processed.

If the form is successfully processed a one year notification period begins, a security number is also sent and should be used in all correspondence.

The data controller must keep the register up to date with any changes made to the register information either as an amendment or as additional information (a form is available for each purpose via the Website.)

After the first year of registration the register entry must be renewed. Re-registration and payment must happen before the register expires, otherwise a new application must be made.

There are exemptions for “not for profit” organisations, advertising, marketing and PR businesses, and there is also restricted exemption for businesses handling their accounts and records (i.e. the administration of customer and supplier records)

In addition there are exemptions for core business purposes. These include

- Staff administration.
 - For the purpose of appointments, removals, pay discipline, superannuation, work management or any other personnel matter in relation to staff.
- Advertising, Marketing and Public Relations
 - For the purpose of marketing or advertising your business, activity, goods, services and promoting public relations ONLY in connection with that business or activity or the goods or services.
- Accounts and Records
 - For the purpose of keeping accounts relating to the business.

There are some well known scams purporting to be from the Data Protection Register, that are sent to businesses that are often exempted from registering, asking them to register and send a sum of money, generally in excess of £35, and sometimes as high as £75.

The Helpline 01625 545740 should always be contacted to confirm that any letter demanding payment is official.