

Taking a positive approach to information rights

Protecting people's information rights is a front line service. Taking a positive approach to your responsibilities will deliver benefits to your organisation as well as helping you to comply with the Data Protection and Freedom of Information Acts.

Benefits of doing it right

- It will help your organisation to comply with its legal obligations under information rights law.
- It will save your organisation time, effort and money.
- Information is a key business asset. Handling it properly will help your organisation to achieve its business objectives.
- It builds up good relations and trust with the people you deal with.
- It's good customer service.

Risks of doing it wrong

- Financial and reputational costs. A data breach can be expensive to put right and will reduce customers' confidence in your organisation.
- You may receive a monetary penalty of up to £500,000 from the Information Commissioner's Office (ICO).

The following suggestions will help your organisation to understand the benefits of complying with information rights law.

Be as open as you can

- Be open about how your organisation uses personal data. Have privacy policies that are clear and easy for members of the public to access. This will reduce the number of queries your organisation receives about how it uses its customers' data.
- Consider giving people online access to their personal data rather than dealing with lots of individual requests. This may not be possible now, but it could bring cost savings in the future.
- Make more official information publicly available by using your publication scheme and disclosure log. This may help your

organisation to avoid the administrative costs of dealing with certain types of freedom of information requests. It also helps to build trust in you.

- Be aware of events that are likely to generate freedom of information requests. For example, many public authorities are cutting back their services due to budget reductions – the public will want background information and the evidence base. Spotting these events early and proactively providing information will help you manage the increased interest and build or retain trust.

Take responsibility for your information

- Make sure everyone in your organisation understands the importance of information rights, and their own responsibility for delivering them.
- Keep personal data secure. Leaving personal data in an insecure environment increases the risk of losing it and of receiving a monetary penalty from the ICO. Security is not just about technology, process and people are crucial.
- Know what information your organisation holds, who it is about and where it is stored. Auditing and indexing your information properly will make it easier and more efficient to deal with information rights requests.
- Know which information your organisation has to retain for legal or accountability reasons and don't keep information which isn't needed, particularly personal information. Having a proper retention policy and reviewing it to reflect any changes in the law or your organisation's needs will make your records management more effective.
- Review and assess your data security arrangements regularly. Ensure that knowledge and responsibility is embedded across your organisation.
- Minimise the amount of personal data your organisation holds. For example, use partial postcodes rather than names and addresses for planning purposes or market analysis. This will reduce the cost of dealing with data protection requests and will minimise your legal liability; nothing can go wrong with personal data you do not hold.

Get it right first time

- Get it right first time, by giving people all the information they want, unless it's exempt from disclosure. It can be useful to provide more information if it helps to put the requested information in context or to explain anything that is unclear.

This reduces the risk of additional requests, protracted correspondence and the involvement of the ICO.

- Take a customer service approach, by seeking clarification and providing advice and assistance when people aren't clear about the information they are seeking or the problem they are trying to resolve.
- Monitor the information rights requests, complaints and queries you get so you can pre-empt problems and target resources where they are needed most – for example where a particular department receives lots of requests for access to a particular type of information. Developing a policy on the release of frequently requested information will make the process for handling requests quicker and more efficient.
- Build in privacy considerations at the start of IT projects that involve the processing of personal data. A 'privacy by design' approach can help your organisation to deliver information rights more effectively.

Ask the ICO

- Our First Contact department can provide free information rights advice in writing or over the telephone. Tel: 0303 123 1113 or e-mail: casework@ico.gsi.gov.uk