

# Data Protection Policy



## Data protection principles

Elephant's Child complies with The Data Protection Act 1998, which governs the use of personal information through the eight data protection principles. These principles require that personal information is:

1. processed fairly and lawfully
2. processed for one or more specified and lawful purposes, and not further processed in any way that is incompatible with the original purpose
3. adequate, relevant and not excessive
4. accurate and, where necessary, kept up to date
5. kept for no longer than is necessary for the purpose for which it is being used
6. processed in line with the rights of individuals
7. kept secure with appropriate technical and organisational measures taken to protect the information
8. not transferred outside the European Economic Area (the European Union member states plus Norway, Iceland and Liechtenstein) unless there is adequate protection for the personal information being transferred

The definition of *processing* is wide and covers virtually any action carried out on a computer. This includes obtaining, recording, holding, processing and analysing personal information.

## Individuals' rights under the Data Protection Act 1998

The Data Protection Act 1998 gives individuals certain rights in relation to the use of their personal data. These rights are as follows:

1. *The right of subject access* - gives individuals the right to obtain information held about themselves.
2. *The right to prevent direct marketing* - individuals can ask you at any time not to use their personal information for direct marketing purposes. An individual must put their request in writing and you must act on the request in a reasonable period of time. In most cases, this should be within 28 days.
3. *The right to have personal information corrected* - an individual has the right to have incorrect or misleading personal information held about them corrected. If you don't do this, the individual could obtain a court order directing you to correct, delete, block or destroy the information. If this happens, it will be up to the court to decide if the information is inaccurate and what (if anything) to do about it. The individual may also ask the court for compensation and costs.
4. *The right to prevent automated decisions* - this allows individuals to stop important decisions about them being made by solely automated means - for example, decisions made only by a computer. This can include recruitment decisions made solely on the basis of psychometric testing. There are some automated decisions which, under certain circumstances, are exempt from this right. A sensible course of action is to allow the individual the right to appeal a decision taken in this way.

You can [download guidance on individuals' rights online - from the Information Commissioner's Office \(ICO\) website \(PDF, 425K\)](#) - opens in a new window.

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