

Unit 3 – P3 (Legal Issues)

The Data Protection Act 1998 –

The Data Protection Act is the UK Law on the processing of data on identifiable living people. Although the Act does not mention privacy, it was enacted to bring British law into line that protects people's fundamental rights and freedoms and have their own privacy with respect to the processing of personal data.

One principle of the Data Protection Act is 'Personal data should be obtained and processed fairly and lawfully'. This means that you should be asked permission for the data about you to be collected by whoever it may be. You should also be aware of why they are collecting your data, and what your data will be used for.

Another principle is 'Personal data can be held only for specified and lawful purposes'. This means that the 'Data Controller' has to state why they want to collect and store your information when they ask you for permission to be able to do so. If the data that they have collected is being used for any other purposes, then it is breaking the law.

The Computer Misuse Act 1990 –

The Data Protection Act is the UK law that was introduced to deal with the increased incidence of computer hacking (the unauthorised accessing of a computer system). This act makes it an offence to access any computer to which you do not have an authorised right to use.

One principle of The Computer Misuse Act is to 'Gain unauthorised access to another person's software or data'. This means to illegally gain access to someone else's software or data, such as private work that is confidential.

Another principle is to 'Gain unauthorised access to a computer's data with the intention of breaking the law further.' This means to illegally gain access to someone's data and with the intention of changing the data. This is a further offence and can result in a higher penalty of up to 5 years of prison.

Ethical Issues

How to use Emails appropriately Policies –

One policy for using emails appropriately is '<Organisation name> email accounts should be used primarily for <Organisation name> business-related purposes; personal communication is permitted on a limited basis, but non-related commercial uses are prohibited'. This policy means that emails that are given by the organisation are not personal use emails, and are to be only used for work